

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 2, 1983

The twenty-second meeting of the Senate State Administration Committee was called to order by Senator Pete Story on February 2, 1983 in Room 325 of the State Capitol, Helena, Montana.

ROLL CALL: All members were present but Senators Stimatz and Tveit who were excused for other committee obligations.

CONSIDERATION OF SENATE BILL NO. 171:

"AN ACT REQUIRING THE DEPARTMENT OF INSTITUTIONS TO RENOVATE THE OLD MONTANA STATE PRISON TO MEET CERTAIN STANDARDS; REQUIRING THE DEPARTMENT OF STATE LANDS TO NEGOTIATE FOR THE TERMINATION OF THE LEASE OF THE OLD PRISON; ALLOWING THE WARDEN TO DETERMINE WHICH PRISONERS TO INCARCERATE IN THE OLD PRISON; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATOR BOYLAN, Senate District 38, introduced his bill by saying that this bill is to renovate the old prison in Deer Lodge. After the special session of the legislature he was a member appointed to be on the prison task force which is a 8 member committee. He said that he was elected vice chairman.

He stated that the reason for the hearing in the Senate is that there is no appropriation attached, which is the duty of the house.

During the special session the governor called during the crises. It was first suggested by him to renovate the old prison. The department did a rundown and it was around \$6 million (the department of administration). It went into the legislature and one thing and another and it disconnotted the accuracy but after the study it showed that it was low. He stated that he and Representative Ellerd introduced a bill to hire a firm to come in and do a study of renovation. They hired Parrish Architects Justice and Security Consultants of 1885 University Ave., St. Paul, Minnesota, who presented their feasibility study in the book now before the committee, EXHIBIT 1. Senator Boylan stated that they did a good and complete job. He stated that considering what the task force went through and the time they spent and the things they studied, they worked harder than all the committees he has worked with.

Senator Boylan stated that it was hard to get numbers and they finally established population as a determination of our task force of about 900 people. The claimed that 15% of the people incarcerated are put in maximum security, so by renovating the old prison and establishing prison population of 200, the prison population of that facility of 200 would take care of the prison population of about 1300 people.

He stated that he was not here today as a concern with the people of Deer Lodge. This happens to be where the prison is. He said he knows they are concerned about the escapes from the prison. That he is not up here today to divide the community but does not want to go away without having done something. He said that he sees many others here to testify .

PROPOSONENTS:

REPRESENTATIVE BOB THOFT, District 92, said that he would like to make some comparisons of the old and the new. He said that they tried to do some long range planning and came up with a system that is going to be hard to deal with. He said to give an idea of what has been happening; in June they had a proposal before them that was not a valid proposal. They had the new proposal because they had the location of the new proposal maximum to near the medium security. They then came up with removing maximum outside the fence to relieve the security problem out of the building. The third thing they came up with is this one. They changed their minds from 120 bed unit to 192 to correspond with the task force. The problem is, that we are going to grow. In about 8 years we will use up all the benefits we will gain from the 200 bed maximum security. They have rated medium security is 35%, maximum is 15% and minimum is 50%, so they are going to have to use the medium area for the growth. If they build the maximum they propose, in that length of time they will be in trouble with moving the guard towers and fences.

He said that the big reason that they support the old prison is the psychological reason of the fence and he said that if we have a place to put the people away from the population, it will relieve the tension.

REPRESENTATIVE JERRY DEVLIN, House District 52, gave his testimony based on a letter he read, (EXHIBIT 2) from David J. Schwarz. He did not read parts of the letter stating that it got into personalities. This man resigned from the prison guard force as a Lieutenant to continue his education.

STATE ADMINISTRATION

February 2, 1983

Page 3

REPRESENTATIVE ROBERT ELLERD, District 75, testified as a proponent saying that he was in the legislature when they appropriated for the new prison and thought at that time it to be a terrible mistake. He stated that the old prison served its purpose better than the new. In the special session they appropriated the money to hire the architects to go in and study the possibility in rerenovating the new prison and it was well spent. The administration, throughout the hearings has been against restoring the old prison. He said that he has made many trips to the new prison and the old prison and feels the task force made the right decision to restore the old prison.

There was quite a bit of testimony throughout all of those hearings, one of them was there would not be any possible way of expansion. He said that he feels Mr. Parrish is a impartial man in his studies.

When it came to the subject and was testified that the old prison could not be expanded on, he stated that he had some doubts, so he called Mr. Parrish. He said that he has a letter that Mr. Parrish wrote him and he would like to submit it, EXHIBIT 3. He said that the map mentioned in the letter is in Exhibit 1. Mr. Ellerd stated in reading the letter, that the million plus dollars would have to be figured in the expansion of the new prison also.

Representative Ellerd said he was sure the opposition would be "what it would do to the tourism and the Towe car collection. He said that he can't say whether rerenovation of the old prison would stop the tourism, but said he does not feel that is the issue, the issue is the saftey of the people. Even if they expanded the old prison it would not take the building that the cars are in. He stated that the old prison is the thing that should be done. He said that you will hear the wall is bad and he has no idea what there decision, but in 2 years without renovation there will not be any tourism because there will not be a building anyway if it deteriorates.

REPRESENTATIVE JOE BRAND, Representative from Deer Lodge, stated that he is a proponent of this bill and that he would like this, Senate Bill 171, held in this committee until the Governor's bill comes in so you will have both bills before you. He said that you should take into consideration of the task force. He said that he is surprised that none of the employees are here today; most of the people that work at the prison support this and many inmates in that prison want the old prison renovated for two reasons, one is for security and two is protection from the each inmate. Security is the major factor. People are escaping from that new prison, stealing

STATE ADMINISTRATION

February 2, 1983

Page 4

cars or destroying, burning haystacks and doing damage to others. They are not responsible for what they are doing. Representative Brand related the story about a man whose truck was stolen. He went to the Department of Institution and asked if the state were responsible for that truck and they said they were not. Another man is being sued by a prisoner. This man needs to hire an attorney which he will have to pay for himself but the inmate gets his free. He attended the meetings of the task force and most of the people that testified said that they were worried about the rights of the inmates, not concerned with the rights of the people.

Some of the problems in that prison are; number one, management does not listen; two, there is no security, the inmates have control; and three, the activities of the inmates, which is none, they needed the activity space. The inmates will find something to do and that is trouble. They do not have any activities, not the garden, the hog farm, etc., and these should be reactivated.

He stated that he wants to leave them with the thought that the maximum security prison that they have now, the old prison, is not as run down as they say it is. The people that work in the prison say that they do not like the electrical system at the new prison, the manual system they had at the old prison is far superior. They were led to believe that the glass was unbreakable, but when the riot happened, the blast did not withstand, they went right through it. These are the things the committee should consider. He said as a child in Deer Lodge he lived right along side of that prison and without ever any fear.

No other proponents.

OPPONENTS:

CARROLL SOUTH, Director of the Department of Institutions, testified that they are against renovation. He stated he has written testimony to submit. EXHIBIT 4.

He said in June of 1982 the Governor felt strongly enough about the crowding at the state prison that he called a special session. He urged the legislature to adopt the short term plan but to address the long term plan. From that time the prison population has increased by 79 inmates. It is urgent that a decision be made very soon for more beds and if at all possible through legislation, expedite process anyway we can. We were talking about double bunking he said, but now they are having to house inmates in dayrooms. He said that they need something to happen fast and not debate where the beds should be built.

SENATOR DANIELS, District 14, Deer Lodge, testified that he opposes the remodeling of the old prison. He said that it is emotional and we get into irrelevant factors. He said that the concern of those in and around Deer Lodge is the lack of security lacking in the past years. He stated that he cannot see why the remodeling of the new prison is not better. The old one was built in 1912 and you don't know what you are going to get into when you start tearing into it. It is not energy efficient. He said that he agrees that the electric security is not reliable in the new building, but he does not think that those working there are too concerned about the old or new institution but are concerned about the security of their jobs. He said that he remembers the transission period when they had the old and the new prison and the constant stream of traffic and amount of gas being wasted going back and forth; they should be closer together than the old and new. They have jails larger than what we are trying to improve. Over the years they will be pouring alot of money away if they don't.

ERNEST HARTLEY, Museum director of the Towe County Museum and Arts Foundation in Deer Lodge, stated that he has five questions related to the prison issue, EXHIBIT 5, which he wishes the committee to consider. He said that he did assume that only the north 3/4 would be used before hearing the letter from Mr. Parrish. He said that even after renovation they will still be left with substandard facilities. He stated that he would like the committee to know that both the central committee of Powell County, the Democatic central committee and the Republican central committee oppose Senate Bill 171.

BERNICE MANNING, President of the Powell County Museum and Art Foundation in Deer Lodge, testified that she would just like to add that they are definitely interested in security and they that have operated and worked in the old prison know what it has and what it will take to rerenovate and feel that the only thing of value there is the wall. She stated that they need security not just for the maximum prisoners but for the whole area. She said that they cannot see why they can't build something at the new prison that is not just as secure as the wall in Deer Lodge. She said that she thinks that some of the reports that Mr. Hartley brought to you, talking about the escapes that happened out there, they aren't from the maximum people, but those thinking about ways to get out. She said that she has lived in Deer Lodge all of her life and things are changing. Equal rights has given prisoners more rights than ever.

ROBERTA CHANDLER, Montana Gold West Territory, and they are a tourism organization representing ten counties in north-western Montana and said that she would like to ask the consideration of the traffic that Deer Lodge has gotten in the past five or six years, and people in that area are working hard to develop tourism as a growing industry in Montana.

BUD CAMPBELL, Director of the Citizens Protective Association in Deer Lodge, and stated he would like to explain their association. This association formed many years ago when escapes and prison problems threatened the safety of our people. Last year they felt the necessity to reorganize due to the number of escapes from the new prison. In one year there were more than 30 inmates that escaped, several were extremely dangerous. It was not uncommon for citizens to be awakened at night by authority searching for escapees. The prison could have notified citizens possibly five hours earlier. One of the first actions they took was to organize a telephone emergency system to make it possible for the prison to notify them within twenty minutes of an escape. He said that they feel the best system is to build a maximum security at the new prison at Deer Lodge, using existing administration and medical services to save tax dollars.

A list of Escapes from the old institution, Montana State Prison is shown as EXHIBIT 6.

MR. GREENOVER of Deer Lodge, testified saying that you cannot make a silk purse out of sows ear. He is an electrical contractor. He said that it is not economically feasible to renovate the old building according to the legislature 10 years ago. The Grand Jury in 1878 pointed out that the old jail cell blocks were unsafe, and what did they do they took them and put them into the new prison and they could accommodate 30 or more prisoners temporarily and by 1883 they could accommodate 268. The point he is making they have the same problems today as years ago.

HARRY HOSTEDER of Deer Lodge, stated that he wanted to agree with the last three people. Cost wise it will be foolish to renovate the old prison, The escapees are not from the maximum but from the trustees. The old prison does not have good concrete blocks.

SENATOR BOYLAN CLOSED on S.B.171 by saying that they moved to the new prison because they had alot of experts say how good it was going to be. He said that he does not believe The escapes shown from the old prison were not from the prison but from trucks moving out rocks, but none from the actual compound.

The cost of construction of a new prison per cell is about \$80,000 per cell, this one with \$12.2 million dollars which the department has put in in long range building, divided by 200 gives you \$60,000 per cell..under the Parrish proposal it would cost \$41,000 per cell. One thing they did for awhile, is that the department of institutions cranked down to about 9.2 million and that was what the competition was for awhile, but now they are claiming and back to the \$12.2 million, and thinks it will be higher because it is not a self contained unit.

The reason he favors rerenovating is that they found out during the task force study that the counterban in that prison is horrendous and the mix of cons... the cons are running the prison. There are 50 people in there now asking for protective custody.

He said that the old unit would be a completely separate unit, kitchen and everything. The \$12.2 million is not going to be a separate unit at the new prison. They will have the same kitchen, libraries and will still be able to pass messages. You can spend \$12.2, \$16 or \$21 million and you cannot cut down mixed prison. The Parrish gave the fixing up of the old prison a C-; doing new construction out there at the new prison a B-; an A+ was a complete and separate unit away from it. Parrish said that a 200 maximum is not a sufficient unit, it would have to get up to about 500 maximum. He stated that he would like to go through the report with the committee. He reviewed Exhibit one with the committee. He said if you look at the report and adopt Plan C that structure will still have 40 to 50 years and a new building will also be in that range. Mr. Parrish proposes Plan C. To say it will not meet standards is wrong. Page 21 shows the complete breakdown of the people that it will to take the upper and lower levels shown. We could shorten up the time eliment by one year by renovating the old prison. The new facilities do not have this information. We are in a crises.

Parking was discussed as a problem at the old prison but you can go across the street and there are old buildings that can be torn down and give ample parking. The old prison still has a big barn and dairy. He stated that there are many here from Deer Lodge. After we get the whole package the legislature can see what is feasable, and that is the Governor's proposal as Representative Brand stated.

QUESTIONS OF THE COMMITTEE:

SENATOR MANNING asked Senator Boylan about the structure of the old building.

SENATOR BOYLAN stated that they would restore the brick and replace the missing mortar. As far as new structure, he said he thinks that is about the last item.

He said that he believes new construction like they had over at Warm Springs.. they got through the maximum security they had at Warm Springs years ago.

SENATOR TOWE asked what the population is today.

CARROLL SOUTH said that it is 912 in the system and 769 are physically present.

SENATOR TOWE asked him to compare the next 9 year projection on page 12 of Exhibit 1.

CARROLL SOUTH said that the correctional task force has offered 900 and they are already 912 which is up 79 inmates from the special session. It is anyones guess what is going to happen.

SENATOR TOWE asked what their program to the long range building program. Reference has been made to the \$12.2 million.

CARROLL SOUTH stated that during the special session he requested \$9.6 million which included two support buildings, fence, two guard towers, a total divisional compound of about a 120 man unit and the task force decided as a legislative body they expressed their preferance and that they concurred with that and increased their request to 192 to scale down the size of the support buildings. So the figures they need to compare to the 7.9 in the Parrish report is 10.7; "no" he corrected himself, the Parrish report needs to have inflation added to it, becuase we have added inflation to the \$10.7 million and also ended up with a \$400,000 warehouse that has to be built. We are taking the \$10.7 million and adding the \$400 thousand that has to be built under any circumstances add 10% inflation.

SENATOR TOWE asked what is the operation costs?

CARROLL SOUTH said that it takes six hundred and some dollars less to operate one prison with 720 inmates opposed to two. Over the 40 year it would cost about \$60 million more to operate the territorial prison ahd the existing prison. Higher staff is the main reason.

STATE ADMINISTRATION
February 2, 1983
Page 9

He said the fact that the electronic system is not viewed by many as a secure system has some validity, but if you want to man posts on the outside of the prison, for everyone of those posts, it takes 4.8 guards at a cost of about \$15,000 per year of added cost.

SENATOR TOWE asked Senator Boylan how he responds to the \$60 million dollars.

SENATOR BOYLAN said that if you get the maximum people away from out there you can decrease some of the security out at the new prison, therefore you can take some of those people.

SENATOR TOWE said that he thought most of the escapes were from minimum security and medium security.

SENATOR BOYLAN said that the people in the community are worried about the maximum security people not the others. Mr. Parrish assured us that he took in the inflation factor in his report.

SENATOR MARBUT asked who owns the road access from Deer Lodge to the new prison.

CARROLL SOUTH said that this is a county road and they maintain from the ranch building on.

SENATOR MARBUT asked if they plan on taking over that maintenance.

CARROLL SOUTH said "no", but that something would have to be done if they operated two prisons.

SENATOR MARBUT asked if he would respond to the prisoner mix and Senator Boylan's statement that we still have mixed problems and the solution in your plan.

CARROLL SOUTH said that their plan is to totally to split the compound. The only building that will be shared is the Chapel and they will be using it at different times. There will be one kitchen but two dining rooms.

SENATOR MARBUT asked about the glass problem that is similar to the problem they had in New Mexico.

STATE ADMINISTRATION
February 2, 1983
Page 10

CARROLL SOUTH stated that when he was appointed this job the first thing he did was read the results of the New Mexico riots. On February 1981 upon his visit, he was very much alarmed by the fact that the only thing he saw between the inmates and the guards was glass. He instructed the active warden at that time to run steal bars over all glass if it had not been done the inmates in the riot of 1982 would have gone through the glass as well as the doors. This was in closure No. 1. Since that time, thanks to the appropriation of the legislature, we now have steal bars over the glass in closure No. 2.

SENATOR TOWE, referring to a letter that Carroll South presented to Mr. Parrish, he stated that in this letter it said a somewhat larger investment would have to be made \$1 million plus in order to provide the potential of a practical future expansion, and that the initial investment would not be 7.8 or .9 but 8.8 or .9 or would have to conclude the figure of cost to be \$7.9 million.

REP. ELLERD said that he was absolutely right but did not think that the administration is figuring any expansion in their program, which would be a million dollars. He said he doesn't see how they can spare anything when they haven't come up with any cost.

SENATOR TOWE directed the same question to CARROLL SOUTH.

CARROLL SOUTH said that their proposal includes court facilities for thousand difference. By moving the guard house approximately 100 yards and adding 100 yards to the fence the will accomodate two more security guards. He said, 'yes' it would be easy to accomodate more housing.

SENATOR TOWE asked if they put in the cost negotiating with the city of Deer Lodge.

REPRESENTATIVE ELLERD said he thought there was an arrangement of \$1. (one dollar), he said there might be some damages to pay, he doesn't know. He stated that when he asked Mr. Parrish about expanding or adding on the old prison with another cell block, he said that it could be done but that it would cost \$1 million plus to plan that ahead.

SENATOR TOWE said that he thought he said besides moving the guard house, it was all included.

STATE ADMINISTRATION
February 2, 1983
Page 11

CARROLL SOUTH said moving a guard house is not all there is to it, you have to dig a hole for a sewer and a water line, etc.

SENATOR TOWE asked Senator Boylan one more question, saying that Representative Throft used the figures of escapes nationwide is 15% max, 35% medium and 50% minimum. Using those figures and take 15% of 870 inmates in the next 9 years, you get 131 which is alot less than the 200. He said it sounds to him like they would have facilities for 200 and only about half full.

SENATOR BOYLAN said that their figures are about as accurate as they can get. They finally based that some point in time in the next few years the prison population would be, maximum security of 200 would make the prison population of 1300. It fits well into the program we developed of a possible 1300 prisoners, the same would be if you went out to the new prison. They would spend \$12.2 million using that same guide of 200 people. Mr. Parrish was there he really hadn't developed those figures yet, but later said by taking out the old cell block and putting in modulars he could easily put in 192 cells.

REPRESENTATIVE THROFT gave some figures on total growth. Since the prison opened in 1977 the total population there has been increasing 8.5% annually compounded. Based on that growth rate the current population of 900 as it was on tuesday, January 18th, the total population of 1300 would be reached between 1987 and 1988. He also worked out a projection using a cost factor of 52 inmates per year, the average between Oct. 1977 and October 1982; that figure with the current population of 900, the 1300 population rate will be reached in 1991.

SENATOR MANNING asked Mr. South what his estimation is on maximum security and do you feel that at the present time all the maximum people are in tact.

CARROLL SOUTH said that since the March disturbance they have 48 in Max. 2 and 45 in the maximum security building.

SENATOR STORY stated that at the special session there was testimony from the data you brought in that the prison the ultimate population dealt, ran into disciplinary problems and all other problems, was ranging 600 and that was why you were going to Glasgow.

STATE ADMINISTRATION
February 2, 1983
Page 12

CARROLL SOUTH said that the expert that they brought in was Mr. Hunt and it was his recommendation that after looking at Glasgow and all the other facilities the wisest thing to do was to split the compound involved with that 600 maximum and build the existing prison.

SENATOR STORY said that he also understood that they had a water problem. You have done about \$400,000 worth of work on it, have you solved that yet?

CARROLL SOUTH said "no", but they will find the water.

SENATOR STORY asked "when will we hear the governor's proposal"?

MR. SOUTH said the governor's proposal is in the office of long range building and then will go into the House because it is an appropriation bill. He said he does not understand why this bill is here, it cost \$8 million dollars.

SENATOR STORY asked if it right that he says most additional cost is due to personnell?

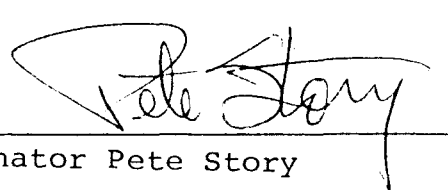
MR. SOUTH said there will be alot of transportation on that. SENATOR STORY replied at \$680 some thousand a year. How do you get sixty million in 40 years budget.

CARROLL SOUTH said the way you get it is to take the original construction costs and assume that you are going to borrow at 9 1/2% and declare it for 20 years period at a level principal, then you take the operational cost and plug inflation into it, and what happens every year the cost difference in operation of the two is greater. A 4% inflation rate for 40 years and netting out the difference in the construction cost (original), and the difference in the interest they paid it was far more money than the new prison. It will still cost \$60 million more.

The citizens of Deer Lodge stated that they did not have adequate water in their town to furnish the prison there.

There was no further questions.

The hearing on S.B.171 closed and the meeting adjourned at 12:15 p.m.


CHAIRMAN, Senator Pete Story

ROLL CALL

STATE ADMINISTRATION

COMMITTEE

47th LEGISLATIVE SESSION -- 1983

Date Feb. 2,
Agenda 1983

S.B. 171 Agenda - SENATE
SEAT #

[illegible]

Each day attach to minutes.

DATE 2/2/83

COMMITTEE ON _____

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Marvin C. Beck	M.C. Beck Dist	171		X
Chas. V. Waldron	DL. Chandler of Cannon	171		X
Terrence Manning	Powell Co. Museum	171		X
Kristen H. H.	Powell Co. Democratic Party	171		X
Jois A. Brydges	Silver State Post	171		X
Robert J. Chandler	Montana's Gold West Territory	171		X
Ernest Hartley	Powell Co. Museum Herts	171		X
Gerry Dublin	House Dist #52	171	X	
William L.	Self	171	X	
Barbara Campbell	Deer Lodge	171		X
W.D. Ludden	Deer Lodge			
John Richards	" "	171	✓	
Dorothy L. L.	Patagonia Pottery	171		
Cheryl L.	Deer Lodge	171		
" "	Deer Lodge	171	✓	
Marvin L.	Deer Lodge	171	✓	
Melvin R. Beck	Deer Lodge	171	✓	
James L.	Dist. 1	171		✓
W.C. L.	Gardiner			
Dave Depew	WPEA			
Bud Campbell	Deer Lodge	171		✓
John L.	Deer Lodge		✓	
" "	TET		—	
Harold L.	Seneca Dist. 14	171		✓
John L.	Powell Co. L.	171		✓
James L.	Powell Co. Republican Central	171		✓

(Please leave prepared statement with Secretary)

VISITOR' REGISTER

SENATE COMMITTEE _____

Date Feb. 2, 1983 Bill No. 171 Time _____

NAME	YES	NO
<i>Rep Robert A. Ellard # 95</i>	X	
<i>Donald D. Biehnberg</i>		X
<i>Harvey M. Westcott</i>		X
<i>Charles V. Waldron</i>		X

Secretary _____

Chairman _____

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

Feb. 2, 1983

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

A black and white photograph of a prison corridor. The corridor is long and narrow, with a barred gate at the far end. The walls are made of brick or concrete, and there are pipes and conduits running along the ceiling and walls. The lighting is dim, creating a somber and institutional atmosphere.

THE OLD MONTANA STATE PRISON

a
renovation
feasibility
study

*Exhibit 1.
State Administration
Feb 2, 1983*

TPA The Parrish Architects
Justice and Security Consultants

1885 University Ave., St. Paul, Minnesota 55104 (612) 645-4545

November 17, 1982

Legislative Council
State of Montana
Room 138
State Capital
Helena, MT 59620

Attn: Diana S. Dowling, Executive Secretary

RE: Renovation Feasibility Study
Old Montana State Prison

Dear Council Members:

On October 5, 1982, The Parrish Architects were directed to proceed with the subject Study in accordance with our Proposal of September 14, 1982. Included herewith are 100 bound copies and 300 unbound copies of the completed document.

I wish, personally, to express my appreciation for the excellent cooperation and assistance received from the Council, Council Staff, Task Force, Department of Administration, Department of Corrections and many other State staff. Their interest and concern has made the conduct of this work a pleasure.

This Study has been of particular interest to us in that many other States are faced with the same dilemma - new or remodeled construction. They will be watching with interest what you do here.

We believe that we have covered the subject matter sufficiently so as to allow appropriate decisions to be made in the near future; however, if questions arise requiring further clarification, we will be pleased to assist in any way. We will, of course, be available for presentations to the Legislature and will attend the Committee meeting on December 6.

Sincerely,



Willard C. Parrish, AIA
President
THE PARRISH ARCHITECTS

WCP/sk/Sltsys/FF

OLD MONTANA STATE PRISON

A RENOVATION FEASIBILITY STUDY

for the

LEGISLATIVE COUNCIL OF THE STATE OF MONTANA

LEGISLATIVE COUNCIL

Senator Pat Goodover, Chairman
Representative John Vincent, Vice Chairman
Senator Carroll Graham
Senator Joe Mazurek
Senator Jesse O'Hara
Representative Rex Manual
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TASK FORCE ON CORRECTIONS

Representative Bob Thoft, Chairman
Senator Paul Boylan, Vice Chairman
Representative Michael Keedy
Representative Les Nilson
Representative John Matsko
Senator John Manley
Senator Jack Haffey
Senator Mark Etchart

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DATE

November 18, 1982

TABLE OF CONTENTS

	<u>Page</u>
Letter of Transmittal	
Table of Contents	
Scope of the Study.	1
EXISTING CONDITIONS	
Recent Legislative Action	2
Old Montana State Prison (Plate A).	2
Condition of Facilities.	2
Previous Renovation Cost Estimates	4
Current Renovation Cost Estimates.	5
New Montana State Prison.	6
Prison Standards.	7
Legal Implications	11
RENOVATION ALTERNATIVES	
Prison Population Projections	13
Standards Priorities.	14
Basic Renovation Concerns	15
Plan A.	16
Cost	17
Discussion	18
Plan B.	19
Cost	19
Discussion	20
Plan C (Plates B, C, D, E, F).	20
Construction Costs	22
Staff Plan	22
Operating Costs.	24
Discussion	25
Analysis of Plans	27
Construction at New Prison.	27
Other Alternatives.	28
RENOVATION FEASIBILITY	29
RECOMMENDATIONS.	30

SCOPE OF THE STUDY

The focus of this Study is on the feasibility of the State of Montana renovating the Old Montana State Prison at Deer Lodge for use as a Maximum Security facility with a capacity of 200 inmates. Specifically, the following components will be addressed:

- 1 - Development of construction costs for a renovation plan previously proposed by the State Architect's Office.
- 2 - Investigation of alternative plans for renovation with project costs therefor.
- 3 - Investigation of the feasibility of any plan of renovation.
- 4 - Recommendations.

It is not within the scope of this Study to investigate and recommend on all possible solutions to the need for additional male adult inmate capacity. It is inevitable, however, that the results of this Study will be compared to other possible solutions. Therefore, with the understanding that "feasibility" is a relative term, we will make use of limited comparisons.

With the knowledge that this Study will be reviewed by some persons not thoroughly familiar with recent conditions, we are including sufficient background information to provide the continuity necessary for clarity.

EXISTING CONDITIONS

RECENT LEGISLATIVE ACTION

The general state of conditions in the Montana Prison system had become of such vital concern that a Special Session of the Legislature was called by the Governor in June, 1982, to deal specifically with these issues. Legislation enacted including the following:

- 1 - Establishment of the Task Force on Corrections to develop a plan of action and recommend policies to the Legislature.
- 2 - Establishment of an Industries Training Program for inmates.
- 3 - Provisions for housing outside of security perimeter for minimum security inmates working in agriculture.
- 4 - Provision for expanding prerelease center use.
- 5 - Retaining a consultant to prepare cost estimates for the renovation of the Old State Prison.
- 6 - Appropriation for expansion of staff and construction of additional facilities at the New Prison.

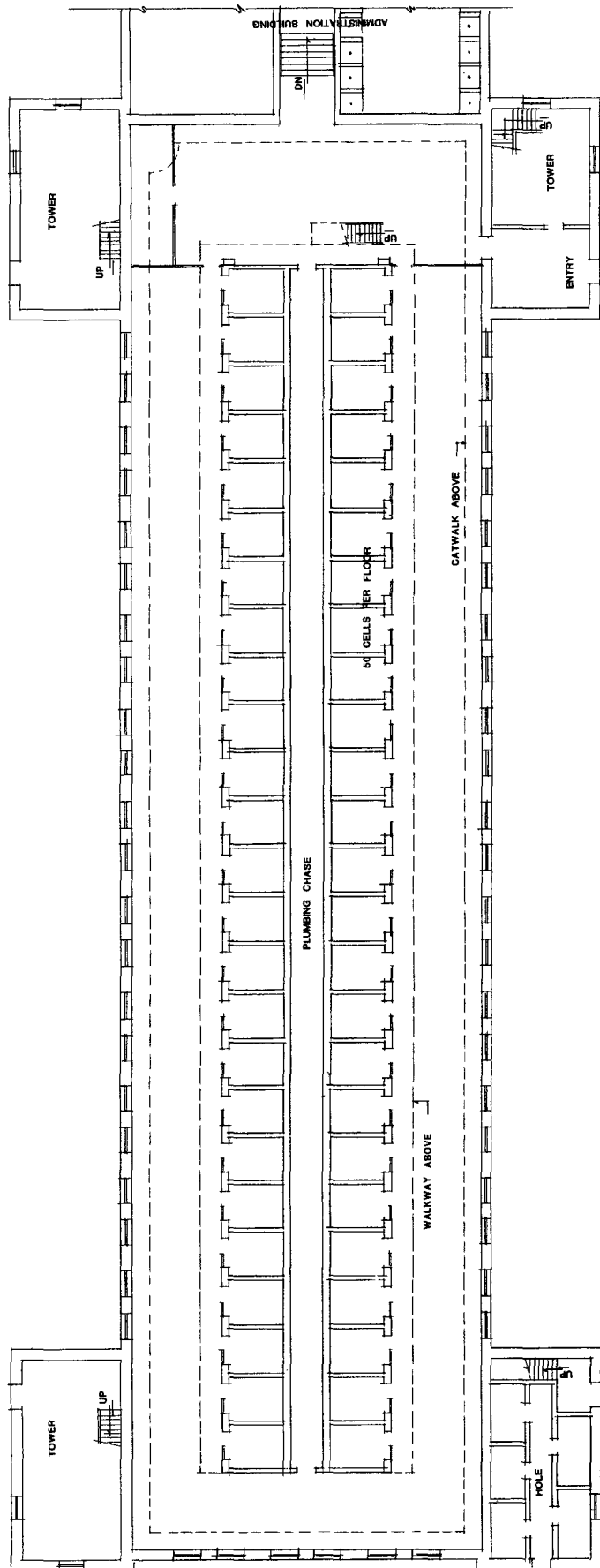
From this legislation, it is evident that the State is serious about improving correctional practices, improving security at the Prison and reducing overcrowding.

OLD MONTANA STATE PRISON

CONDITION OF FACILITIES

All physical facilities at the Old Prison have been inspected and evaluated by our Structural, Electrical, Mechanical and Architectural personnel. Our findings are presented below. The questions of building design, use of space and engineering systems, as they apply to future use, are discussed in another section of this Study.

In very general terms, the buildings being considered for remodeling are in generally good structural condition and would require little work of a



OLD MONTANA STATE PRISON
EXISTING CELL HOUSE

FIRST FLOOR

3 UPPER LEVELS SIMILAR

SCALE 1/16" = 1'-0"

NOT TO SCALE



PLATE A

purely structural nature. Mechanically and electrically, they are in extremely poor condition and would generally require complete redesign and replacement of all systems. Architecturally, they are in various states of disrepair with many problems being amplified by a lack of heat and ventilation and no maintenance for several years. An energy audit would show the buildings to be extremely inefficient.

Specific comments on some of the more important aspects of each building are as follows:

Cell House (1912)

Heating and ventilating systems are completely inadequate and noncompliant with codes. Plumbing systems must be replaced, except for the vertical stacks in the plumbing chase. Electrical system must be completely replaced.

The center cell section is structurally independent of the exterior walls. All these walls are load bearing; therefore, the cells are not capable of modification in size. The cell front mechanisms are in generally good working order and, with minimal replacements, could be reused. To meet codes, an additional stair and exit is required on the North end of the cell block and a fire separation is needed at the Administrative Building.

Generally, a large amount of refurbishing will be required to restore the building to usable condition. There is evidence of water damage to the roof and parapets.

Administration Building (1918)

Structurally, the building is in reasonably good condition. The exterior walls only, are load bearing, making it reasonable to totally remodel both floors, if desired.

Generally, the same comments on the condition of Mechanical, Electrical and General Construction, as made on the Cell House, apply to this building.

Hospital Building (1935)

This building is in relatively good condition, structurally, but, as is the case with the other buildings, will need almost complete replacement of mechanical and electrical systems as well as extensive renovation of general construction.

The isolation cells located in the building are substandard in size and equipment and should be replaced.

Theatre (1919)

This building was almost a total loss in the fire of 1975. A temporary roof has been constructed for some protection. As it stands, the building walls are structurally unsound due to the lack of structural bracing at the top of the walls.

Boiler Room (1912)

The Boiler Room has suffered extensive fire damage and should be entirely replaced if the mechanical system is to be reactivated in its present form.

Site Conditions

The perimeter stone wall (1893) is generally in fair condition, but has suffered some moisture damage. Extensive repointing and repairs to the walkway will need to be made.

The Guard Posts and Gate House (1893-1912) are in poor condition and will require extensive remodeling and some rebuilding in all categories.

It is not possible to be certain as to the condition and usability of all underground utilities; however, it is reasonable to assume that most can be reused with general repairs being made.

PREVIOUS RENOVATION COST ESTIMATES

In April, 1982, the State Architect's office was asked to provide cost estimates for the renovation of the Old Prison at Deer Lodge. On April 30, these figures were provided, which, we understand, approximated \$6,200,000.

Following are excerpts from the State Architect's memorandum of April 30, 1982, defining the scope and extent of the work proposed:

"Attached, is our estimate for the renovation of the old prison at Deer Lodge into a close-security unit for 200 inmates.

The estimates are based on a permanent facility and, consequently, reflect a total rehabilitation. This would include a new boiler plant; new heat distribution system; new ventilation system; new plumbing,

pipng and fixtures; new electrical wiring and fixtures; updating to meet all codes including a fire sprinkler system in each cell; new windows with insulating glass; sandblasting; patching and painting all existing buildings; a new kitchen and food service (which could be either in the old theatre building or a new metal building); a new metal building for a gym; and general rehabilitation of all guard towers and other support areas. The hospital building would include sick bay with six (6) beds of which two (2) would be in isolation rooms. Also, in that building would be a maintenance shop and six (6) maximum security cells. The old max behind the wall would not be used. The estimate includes all fixed equipment, such as the kitchen equipment and cell bunks, but no moveable equipment, such as dining room tables and chairs. It also does not include any repayments or reimbursements that may have to be made to acquire the old prison from the Deer Lodge County Commissioners, such as money for improvements made by them or damages due to the loss of the source of revenue to the county."

A very short time was allowed to prepare this estimate, making it impractical to investigate alternative planning and alternative rehabilitative approaches.

CURRENT RENOVATION COST ESTIMATES

As a part of this study, we have been asked to provide our independent cost estimates based on the same scope of work as that used by the State Architect's office. It must be understood that the scope of the work, as defined above, is extremely general and that our interpretation of material use, methods and extent of construction would differ to some extent from that envisioned by the State Architect's office. Indeed, it would be most extraordinary if there were not significant differences in the two figures.

All of the facilities at the Old Prison were thoroughly examined by our Structural, Mechanical and Electrical Engineers as well as our Architects. We then compiled our cost estimates based primarily on the same categories of construction as listed by the State Architect's office, with minor modifications.

Our cost estimates for the total rehabilitation of the Old Prison, using the same criteria as the State Architect's office, are as follows:

1.	Cell House (Remodel)	\$ 2,183,000
2.	Administration (Remodel)	989,000
3.	Hospital (Remodel)	545,000
4.	Food Service (New)	557,000
5.	Gymnasium (New)	462,000
6.	Heating Plant (New)	513,000
7.	Site Work and Utilities	<u>897,000</u>
	Subtotal	\$ 6,146,000
8.	Energy Retrofit of Buildings	<u>181,000</u>
	Total	\$ 6,327,000

These figures include Architect's fees at 10% and 11% and contingencies of 10% for new and 15% for remodeled construction. They do not include the cost of moveable furnishings.

These figures represent the costs that we would expect to encounter if the project were bid in 1982. Since the project could be bid, at the earliest, one year hence, we must consider a probable inflationary raise of 7%, resulting in a total cost to the State of \$6,770,000.

When the cost of one year's inflation (7%) is added to the State Architect's Figures, those figures are about 3% low. We would regard this difference as minor, particularly for remodeling projects involving many unknowns.

NEW MONTANA STATE PRISON

The New Prison at Deer Lodge, was opened in 1977 with a capacity of 373. It was constructed at the Prison Ranch, a site with virtually unlimited space. In 1979, additional capacity of 192 was added, providing a total single occupancy capacity of 515 inmates.

The inmate occupancy has been growing year by year, far exceeding the design capacity. At the present time, even with some 130 inmates accom-

modated at Forest Camp, Galen, Work Release Centers and other satellite facilities, the facility accommodates about 730 inmates with over 190 being housed in a substandard manner. Most of these are being accommodated by double bunking; however, some are being housed in rooms that were previously Interview Rooms, which do not meet standards for housing.

Many of the service facilities have been overtaxed by having to serve numbers in excess of design capacity. This is particularly true of Food Service, for which a modest addition has already been funded; however, virtually all other services are at or near capacity and cannot continue to serve adequately, particularly in the face of increasing numbers of inmates.

Staffing at the Prison was recently increased by 47 to a total of 308. The total staff budget for 1983 is approximately \$6,567,000, not including fringe benefits. The projected per diem bed cost for FY 1983 is \$35.00, including fringe benefits but not including amortization of building costs.

In recent weeks, two proposals have been prepared by the State Architect's Office contemplating additions to the New Prison. One is for a self-contained 190 man, close security unit and a food cart addition to the Kitchen, priced at \$10,591,000. The other is for a 192 man close security housing unit and additions to kitchen, dining hall and gymnasium and a new administration, library, education and visitor's building, priced at \$10,747,000.

It is very evident that a serious problem exists at this facility. The overcrowding provides many possibilities for lawsuits against the State and it sets the stage for security problems. The former has not yet occurred, but is inevitable. The latter has been experienced in the form of escapes, assaults and other serious incidents.

PRISON STANDARDS

In the past fifteen years, we have seen the emergence of various Jail and Prison Standards stemming from the Civil Rights movement, pressures of

special interest groups and, very often, developed and defined by our Judicial Systems. The most widely regarded standards applying to the nations' prison systems are those authored by the American Corrections Association and the Department of Justice. Both standards are quite similar in their major provisions and the American Bar and American Medical Associations have contributed significantly to both.

The standards are constantly undergoing changes, most of which are the result of Court decisions. Provisions that may have been permissible five years ago are not acceptable today. There is, however, a significant difference in the way in which standards for physical facilities are applied to new and to existing facilities. Court decisions in the past several years have tended to suggest that the violation of a single standard may not be cause for unfavorable actions against an institution but will be considered in the context of the total facility. This would be particularly applicable in the case of older facilities that are undergoing renovation.

It should also be understood that compliance with a particular set of standards is not a guarantee against liability, as some have discovered. It is also a well established fact that the lack of funds is never a successful defense against lawsuits.

Units of government frequently wonder how far they must go to be in reasonable compliance with the standards so to avoid being an unsuccessful defendant in Court. There is no reliable answer to this question, short of learning it in Court. What seems to be the most reliable course of action is that of making the most sincere effort (not necessarily the most expensive) to comply with the basic intent of the standards - protecting the basic constitutional rights of inmates. Following are excerpts from the Department of Justice Standards:

"In assessing institutions in terms of the guarantees of the Constitution, the courts often have paid particular attention to aspects of physical plant, such as cell size, number of inmates per cell or room, lighting, noise levels, sanitary facilities, day space, and exercise and recreation areas. The courts have not found deficiencies in any of these, alone, to be the basis for an adverse ruling, but have

reviewed specific conditions and practices in the context of the facility as a whole. . . We offer these standards as guidelines that would be useful both for planning new facilities and for assessing existing ones. We recognize, however, that for existing facilities to comply with all of the applicable standards in this section may in many instances require time and resources for major construction and renovation, well beyond what would be needed to comply with standards in other sections. Where large expenditures would be necessary to renovate facilities in order fully to comply with the square footage requirements of these standards, we expect that the results to be achieved would be balanced against the costs of achieving them. It is not our intention to require major expenditures for renovations to correct only minor deviations from the standards, where the costs would be excessive when the changes to be made are placed in the context of the conditions in the institution as a whole."

It is quite evident to those familiar with the Old Prison that it has never been in reasonable compliance with today's standards and bears little resemblance to today's contemporary facilities. That, however, is to be expected of a seventy year old prison. To illustrate the present lack of compliance with the principal standards, we cite below selected Department of Justice standards and compare them to present conditions.

<u>Federal Standards (DOJ)</u>	<u>Existing Conditions</u>
2.02 All cells . . . rated for single occupancy house only one inmate.	Most cells equipped with 2 bunks.
2.04 . . .Where an inmate is required to spend more than 10 hours per day in the room or cell there are at least . . . 80 square feet...	55 square feet per cell.
2.05 In long term institutions, there is one inmate per cell or room.	Most cells equipped with 2 bunks.
2.06 There is a separate day room for each cell block or detention room cluster. This day space is not a corridor in front of the rooms or cells.	See 2.28.

Federal Standards

- 2.07 . . . The populations of each housing unit does not exceed its rated capacity (capacities consistent with standards) relating to square footage, sanitary fixtures and other relevant aspects of physical plant.
- 2.08 All housing units and activity areas provide, at a minimum:
- Lighting - 30 foot candles
 - Heating and ventilating systems in accord with ASHRAE
 - Acoustics - 65.70 db daytime
 - Toilets, showers, wash basins, drinking fountains, hot and cold water accessible to all inmates . . .
 - Natural light (suggesting cells on outside walls)
- 2.14 Staff offices are readily accessible to inmates and a minimum of physical barriers separate inmates from staff.
- 2.20 Adequate space is provided for conducting programs for inmates
- 2.21 Adequate indoor and outdoor space is provided for inmate exercise. (Gymnasium preferred)
- 2.22 Handicapped inmates are housed in a manner which provides for their safety and security. . . . (also access to all other facilities).
- 2.28 There are day rooms large enough to accommodate 8 to 16 inmates adjacent to each cell block or room cluster. The room has a minimum . . . of 35 square feet per bed -- not including corridor in front of cells . . . The day room is separate and distinct from the sleeping area but immediately adjacent to and accessible from it.

Existing Conditions

See 2.28. Standards are mandating small, manageable unit - not a single block with 200 cells.

- Not in compliance
- Not in compliance
- Not in compliance
- Not in compliance

◦ Minimal

◦ Not accessible

◦ Minimal

◦ No such Facilities

◦ No such facilities

One cell block of 200.
To comply would require removal of all cells and the addition of four floors of new construction.

Federal Standards

Existing Conditions

- 2.29 Special purpose cells shall have: No acceptable cells.
- One inmate
 - 80 sq. ft. floor space
 - Bed
 - Toilet, wash basin and drinking fountain fixtures.

LEGAL IMPLICATIONS

Whether or not we approve of Standards, they are a fact of life that we must learn to live with.

Standards have become the single greatest concern for a large number of prison administrators and state governments. Every penal facility in the country has, does or will feel the effects of standards either by voluntary compliance or by court action. To illustrate current conditions, the following are excerpts from the Correction Digest of March 12, 1982:

ACLU CITES OVERCROWDING AS "MOST SERIOUS PRISON PROBLEM"

U.S. Society: "Low Level Of Civilization"

The American Civil Liberties Union (ACLU) released a report on March 8 demonstrating that the U.S. is "facing a crisis in its prisons due to serious overcrowding."

Studies on prison problems conducted since the 1972 Attica uprising reveal that the root cause of most prison disturbances, as well as the current crisis in corrections, is overcrowding, ACLU National Prison Project Director Alvin J. Bronstein stated.

Twenty-eight states the District of Columbia, Puerto Rico, and the Virgin Islands are operating prisons under court orders because of violations of the constitutional rights of prisoners, according to the report. Each of these orders has been issued in connection with total conditions of confinement and/or overcrowding which resulted in prisoners being subject to cruel and unusual punishment in violation of the Eight Amendment to the U.S. Constitution.

"Low Level of Civilization . . ."

In addition, legal challenges to major prisons are presently pending in nine other states and there are challenges pending in eight states

in which there are already court orders dealing with one or more institutions, Bronstein said.

"Once again, our annual survey shows the low level of civilization of our society when more than half of our states have been found to be violating the most fundamental of our constitutional rights, the right to be free from cruel and unusual punishment," Bronstein added.

The National Prison Project does not, however, support construction of additional prison space as a simple answer to the overcrowding problem, Bronstein said. Instead, it urges the formulation of a national, long-range criminal justice policy which would include, among other things, probation, community service sentencing, and victim restitution as alternative forms of punishment.

The report also disclosed the following:

- ° Sweeping court-ordered changes in entire state prison systems throughout the country have been mandated in Rhode Island, Alabama, Arkansas, Florida, Mississippi, Oklahoma, Kentucky, Louisiana, New Mexico, and Texas.
- ° As a result of overcrowding and/or constitutional conditions in their major institutions, 18 other states, including Virginia and Maryland, are presently under court order.
- ° Constitutional challenges to prison conditions are pending in Illinois, California, Kentucky, Maine, Indiana, Massachusetts, Michigan, Nevada, Ohio, Tennessee, Virginia, West Virginia, North Carolina, South Carolina, Washington, and Wisconsin.
- ° District of Columbia jails are also under a court order relating to overcrowding and the conditions of confinement.

This emphasizes several points. First, Montana is far from alone in its problems with overcrowding and secondly, Montana is fortunate in not experiencing this type of litigation up to this point. It is likely, even if some litigation should commence in the near future, that the State will not experience problems if it can show that it is taking steps to relieve overcrowding by constructing additional constitutional facilities or by developing alternatives to incarceration.

RENOVATION ALTERNATIVES

PRISON POPULATION PROJECTIONS

A recent publication by the Montana Department of Corrections summarizes the various prison population projections that have been made in recent and previous years by six agencies. The article discusses and illustrates, by actual figures, the impossibility of reasonable projections by any known methods. The average of the various projections for each of the next nine years is as follows:

<u>'82</u>	<u>'83</u>	<u>'84</u>	<u>'85</u>	<u>'86</u>	<u>'87</u>	<u>'88</u>	<u>'89</u>	<u>'90</u>
834	864	876	875	878	849	811	797	785

It is interesting to note that the figure for 1982 is, apparently, remarkably close to the actual figure. It is also significant that only one of the projections, S.A.R.M. (Simulated Admission and Release Model), is reasonably close to these averages through 1985. These figures suggest that prison population will continue to increase, peaking in 1986, then receding.

We know of no reason at the present time to believe that prison population will reach its peak in 1986. Indeed, most correctional professionals believe it will continue to climb for the foreseeable future. To place any reliance on that peak seems very risky.

There are many reasons to believe that incarceration will continue to escalate. Just a few of them are:

Economic Recession

Joblessness and mobility are leading causes of criminal activity. High levels of unemployment will be with us for some years after the economic picture begins to improve.

Public Opinion

In recent years, there has been an increasingly strong undercurrent of public opinion towards "lock 'em up and throw away the key." This attitude is eventually mirrored by the Courts in less probation and longer sentences.

Statutes

We understand that the State may be considering some degree of mandatory sentencing and tightening of parole procedures. If approved, this will lead to more incarceration.

STANDARDS PRIORITIES

In the previous section on Prison Standards, we have outlined most of the significant standards applying to facility design. These are principals that should be followed in designing facilities, whether new or remodeled. In remodeling, it is seldom possible to comply with each and every standard due to the constraints of a given perimeter, shape, space or other static condition. In such cases, we must establish priorities. What are the most important considerations? Should we sacrifice capacity to obtain larger cells? Should we complicate staff supervision to provide inmates more privacy? Should we sacrifice employee facilities to gain space for an educational program?

Any number of decisions must be made in remodeling projects. This case is no exception. We believe that many of these questions should be resolved by looking at the frequency of lawsuits brought in the respective areas. Based on this premise, we suggest that the priority list be established in the following order:

- 1 - Single cell occupancy.
- 2 - Cell area of 80 square feet.
- 3 - Small, manageable units - maximum 24 man.
- 4 - Dayroom for each unit - 35 square feet per man minimum.
- 5 - Positive, direct staff supervision of housing areas.
- 6 - Medical facilities adequate to provide for routine and minor emergency care.
- 7 - Adequate recreation and exercise program - both passive and active.
- 8 - Treatment programs - clinical, counseling, social services.
- 9 - Rehabilitative programs - educational, occupational.
- 10 - Industrial programs.

In a maximum security facility, emphasis will be placed in different areas than would be the case in a medium or minimum security facility. We will accommodate the most difficult security and disciplinary cases in the system. At the same time, because of overcrowding at the New Prison and the constantly increasing population of the State Penal system, we will expect to have many inmates who, for administrative reasons, have been classified "maximum security", but who do not present significant security or disciplinary problems. This facility will have varying needs for security, safety, supervision and opportunities for treatment and rehabilitation.

The courts do not differentiate between "maximum" or "minimum" security classifications so far as inmates' personal rights and access to programs are concerned. The fact that we are dealing with a maximum security facility in this case does not justify the arbitrary elimination of any provisions of the Standards. Administrative decisions, based on security or disciplinary matters, may, of course, determine the manner in which facilities are used or in which cases use is denied.

BASIC RENOVATION CONCERNS

Before looking at the various alternatives for renovation, it is well to consider some of the general problems inherent in renovation projects and also certain problems specifically applicable to the Old Prison:

1. We are dealing with extensive renovation of buildings that are from 45 to 70 years of age. As any architect or contractor knows, such projects are fraught with problems that cannot possibly be anticipated at the outset. Typically, such projects exceed budgets by substantial amounts regardless of the care with which the budgets are prepared.
2. We are working with buildings with established perimeters and forms. We must shape the design of spaces to fit these limita-

tions, both vertical and horizontal. We do not have the freedom that would be present in the design of a new facility with adequate space. This inevitably results in compromise and, in many cases, a design inferior to that obtainable in new construction.

3. In this instance we are dealing with a building of historic significance. If it is to be renovated, both the exterior and interior may be somewhat altered to best facilitate its use. Many persons may object to this and oppose use of the Prison on this basis.
4. The State has abandoned this facility and in 1980 leased it to the City of Deer Lodge for 25 years. The buildings outside the walls now house the Towe Antique Ford Collection and Gift Shop. The Prison, itself, is a part of this operation, with conducted tours being a popular tourist attraction. It is to be expected that local residents will tend to be in opposition to disturbing this commercial venture, preferring more construction at the New Prison.

PLAN "A"

Plan A is the plan for which the State Architect's office provided cost figures in April, 1982. While the scope is not entirely specific, its basic intent seems to be to restore the Prison to the same plan condition as it was before being vacated. The scope of the work is outlined on Page 4. Generally, the following is contemplated:

Cell House: See Plate A

This building would not be changed architecturally in any way except for provisions for exits and fire separations. The cells would not be changed. The building would be renovated with new windows, roofing and painting. New mechanical and electrical systems would be provided and various maintenance items would be undertaken.

Administration Building:

The work on this building would be very similar to that on the Cell House. Since the building would be utilized substantially as it was previously, many partitions would remain as they are. Since no plan was developed for this building, other than the existing condition, we have not included the floor plan herein.

Hospital Building:

This building would house the hospital, segregation cells and maintenance function. Extensive renovation would be done to improve the facility of the building. Again, no plan has been provided for this area.

Gymnasium and Food Service Buildings:

Separate steel buildings would be constructed for these functions as was previously the case.

Boiler Plant:

A new Plant would be constructed.

Site Work:

Extensive repairs would be made on Guard Towers and new distribution systems provided for utilities. Outdoor recreation facilities would be provided.

COSTS

The costs of Plan A, corrected for bidding in late 1983 are:

Cell House (Remodel)	\$ 2,336,000	(27,720 S.F.)
Administration (Remodel)	1,058,000	(19,772 S.F.)
Hospital (Remodel)	583,000	(5,200 S.F.)
Food Service (New)	596,000	(8,750 S.F.)
Gymnasium (New)	494,000	(8,400 S.F.)
Heating Plant (New)	549,000	(1,500 S.F.)
Site Work and Utilities	960,000	
Energy Retrofit	<u>194,000</u>	
	\$ 6,770,000	(71,342 S.F.)

Cost per bed = \$33,850

Cost per square foot = \$ 94.90

These costs do not include moveable furnishings.

DISCUSSION

We cannot recommend the adoption of Plan A. We believe that there are serious drawbacks that could make its implementation most unfortunate for the State. The most singularly significant drawback is the absence of compliance with Standards regarding the living areas. As we have previously stated, the courts have held that a substandard size cell may not, in itself, be held a violation of rights if the facility as a whole provides other appropriate spaces and services; however, these decisions have been applied to relatively new facilities that have been under continuous operation. This case is decidedly different. There is the definite implication that the State is deliberately ignoring standards by reopening a previously abandoned substandard facility when new facilities or more extensive remodeling of the Old Prison could have provided a compliant facility.

The concept of Plan A appears to have contemplated remodeling all spaces within the wall excluding the Theatre, and providing approximately the same amount of space that was being utilized by a population of some 500 inmates when it was abandoned. With a proposed population of 200, this would suggest the probability of extravagance of space. We believe this to be the case.

This plan also contemplates occupying the entire area within the main walls. This would appear to make it far more difficult to allow the Towe operation to remain in its present location, further complicating the State's negotiations for return of the facility.

In short, the result of this plan would be a substandard facility, extravagant of spaces and cost. At a per bed cost of under \$34,000, it seems to be a bargain. We believe it to be a poor investment and strongly recommend against its adoption.

PLAN "B"

This plan represents the least expensive method of renovating facilities. It makes the most extensive use of existing facilities, requiring no new buildings to be constructed. It is a combination of Plan A and Plan C (to follow). The scope of the work is as follows:

Cell House: See Plate A

The Cell House would be renovated in the same manner as Plan A.

Administration Building: See Plates D and E.

The building would be extensively remodeled, similar to Plan C except that the connection to the Cell House on the Lower Level would be retained along with the existing Shower Room. This would result in some spaces being smaller than shown on Plate D. Boiler Plant, Hospital, Food Service, Recreation and Exercise would be accommodated in this building.

Site Plan:

The recreation yard would be terminated by a fence north of the Theatre, as shown on Plate B, allowing the Towe operation to continue.

In essence, this Plan eliminates the construction of new buildings for Boiler, Food Service and Gymnasium and substitutes a more extensive remodeling of the Administration Building. It also eliminates the remodeling of the Hospital Building.

COSTS

The costs of Plan B, corrected for bidding in late 1983 are:

Cell House (Remodel)	\$ 2,336,000	(27,720 S.F.)
Administration Building (Remodel)	1,453,000	(19,772 S.F.)
Physical Plant Equipment	342,000	
Sitework	672,000	
	<u>\$ 4,803,000</u>	<u>(47,492 S.F.)</u>

Cost per bed = \$24,000

Cost per square foot = \$ 101.10

DISCUSSION

This plan retains the substandard Cell House but provides a more practical approach in all other ways. Its bed cost of \$23,900 is exceptionally low. While we would prefer Plan B over Plan A as a far better investment, we cannot recommend the adoption of this plan in that it still retains the Cell House in its present state of design - a condition that is certain to result in future litigation for the State.

PLAN "C"

Plan C has evolved as the result of searching for the most practical way in which to provide a constitutional facility while maintaining satisfactory cost efficiency. The plan contemplates the following elements:

Cell House: (See Plates C and F)

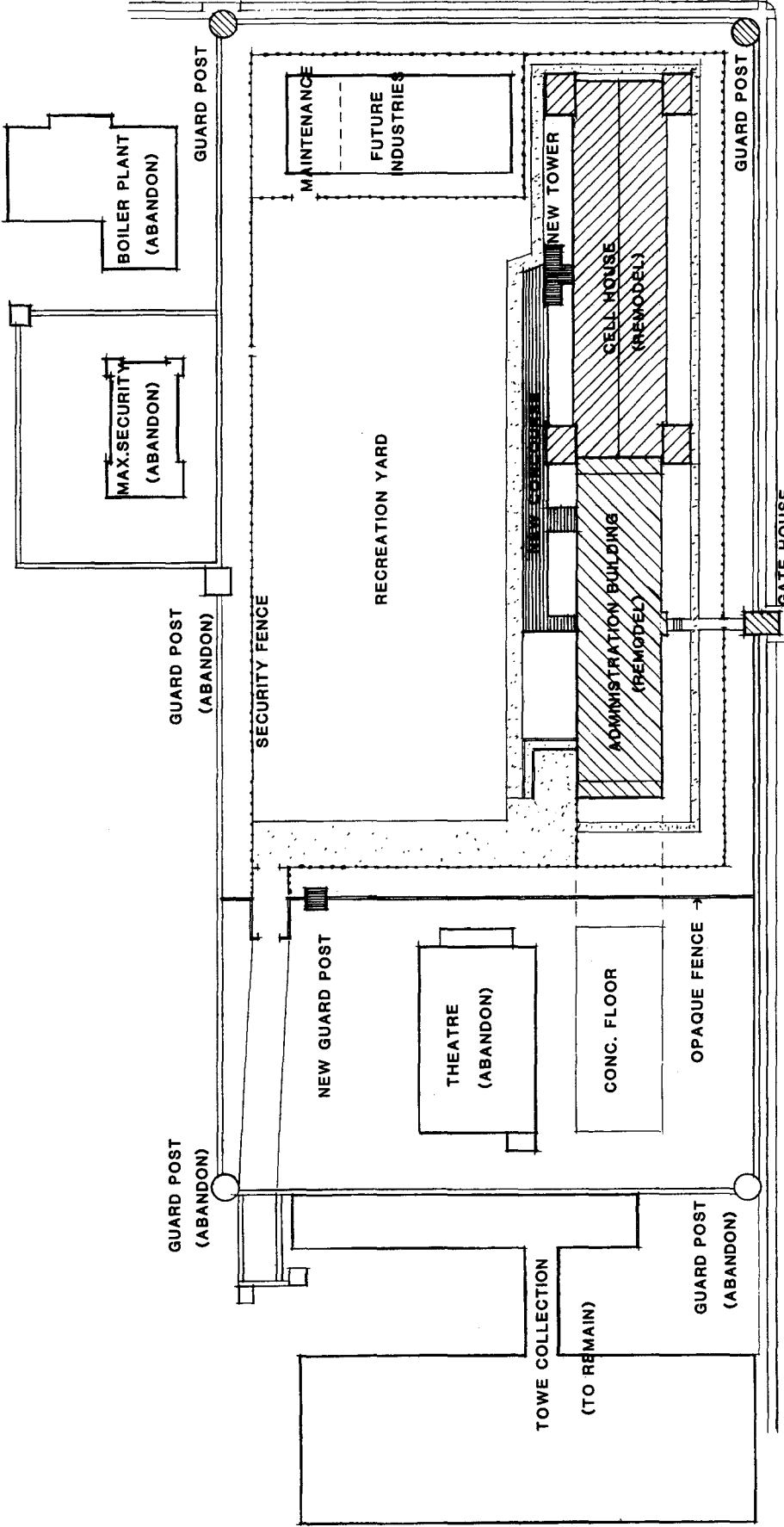
The interior cell tiers would be demolished. New Cell Blocks would be constructed, providing 8 - 24 man blocks on two principal levels. Each block would be double decked and would have its own Day Room. Standard capacity would be 192 beds. A new stair and elevator tower would be constructed at the center of the unit, providing the main access to and from the building. Control centers on both floors would be located in the center corridor. The corridor provides access to the perimeter guard corridor.

Cell construction would be reinforced concrete block walls and concrete floor systems. We have investigated the use of prefabricated steel cells and have conferred with designers and potential manufacturers thereof. This being a new field, there is not yet enough cost information available to enable a competent comparison to be made to conventional construction. We do know that prefabrication can save a significant amount of construction time. We suggest that this option be left open pending further cost information.

Each of the two West Towers would be provided with emergency stairways and two isolation cells, making a total of 8 isolation cells in the building. It is not contemplated that the two Eastern Towers would be developed for any specific purpose; however, some alternative uses, such as storage, could be found.

Generally, the same scope of renovation to the shell of the building would be performed as for Plan A.

WATER TOWER
(ABANDON)



OLD MONTANA STATE PRISON

SITE PLAN

SCALE 1" : 60'-0"

NOT TO SCALE

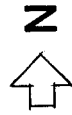
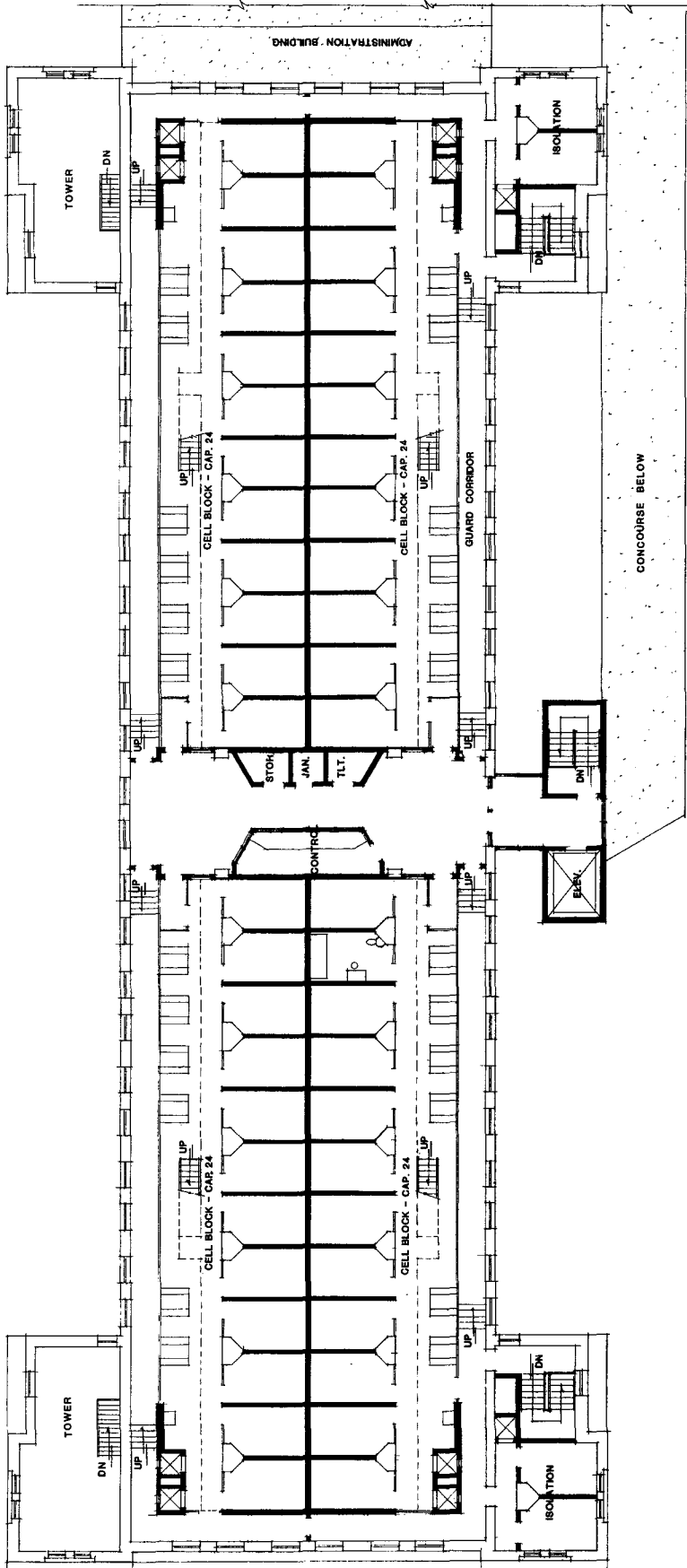


PLATE B

TPA The Parrish Architects
Justice and Security Consultants
1005 University Ave. St. Paul, Minnesota 55104



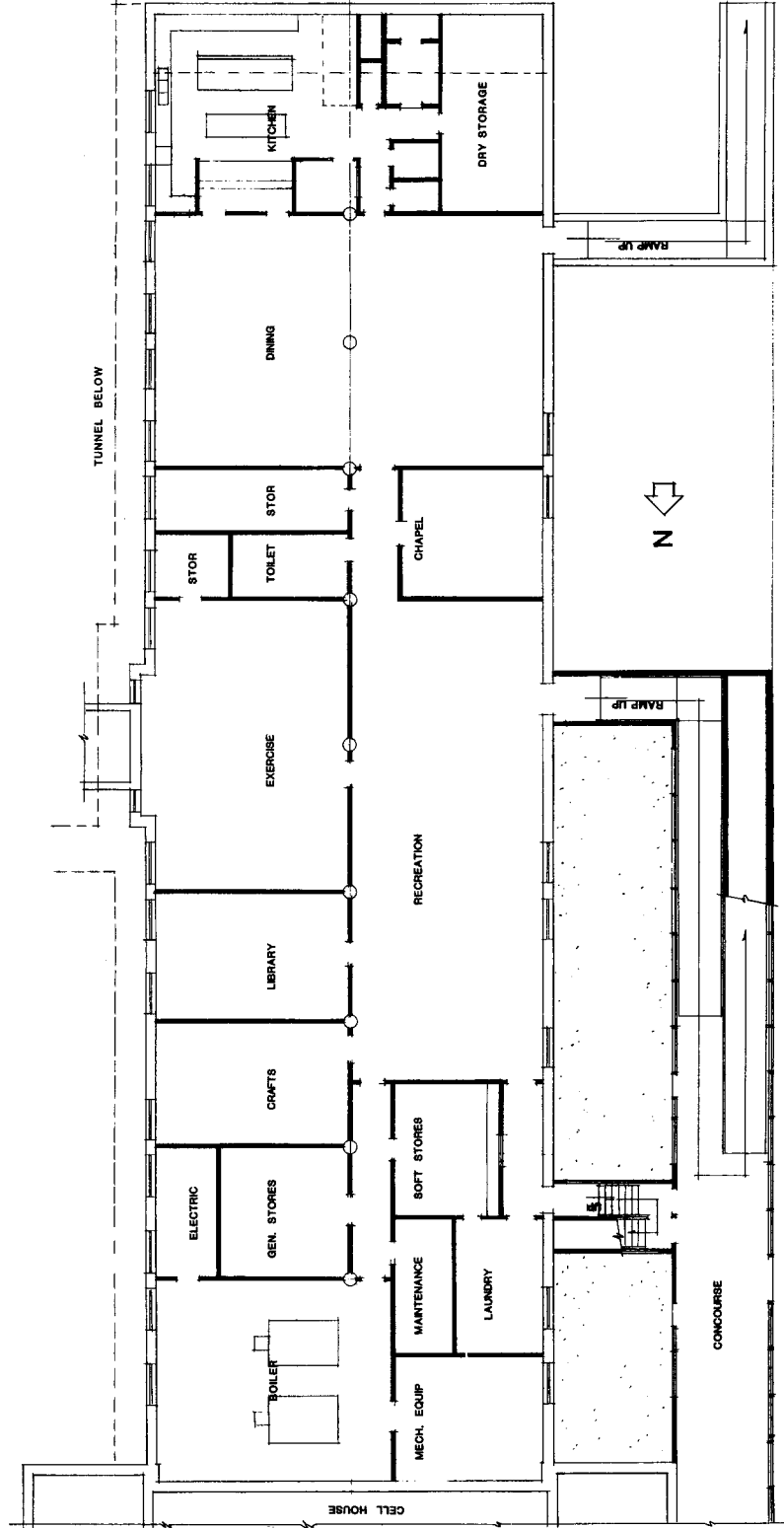
PLAN "C"



CELL HOUSE
UPPER LEVEL
LOWER LEVEL SIMILAR
SCALE 1/16" = 1'-0"

NOT TO SCALE

PLATE C

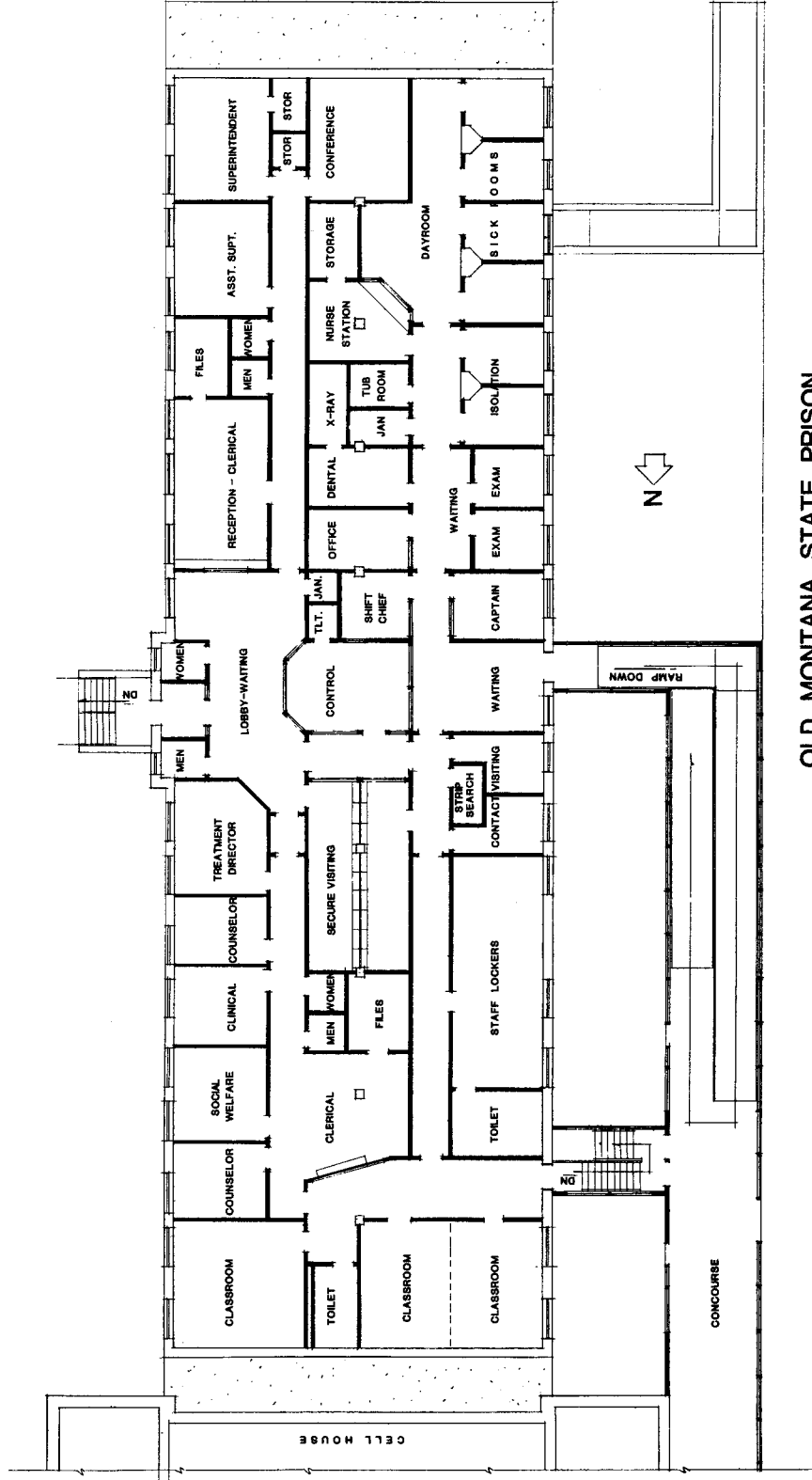


OLD MONTANA STATE PRISON
ADMINISTRATION BUILDING
LOWER LEVEL
PLAN "C"

SCALE 1/16" = 1' 0"

NOT TO SCALE

PLATE D

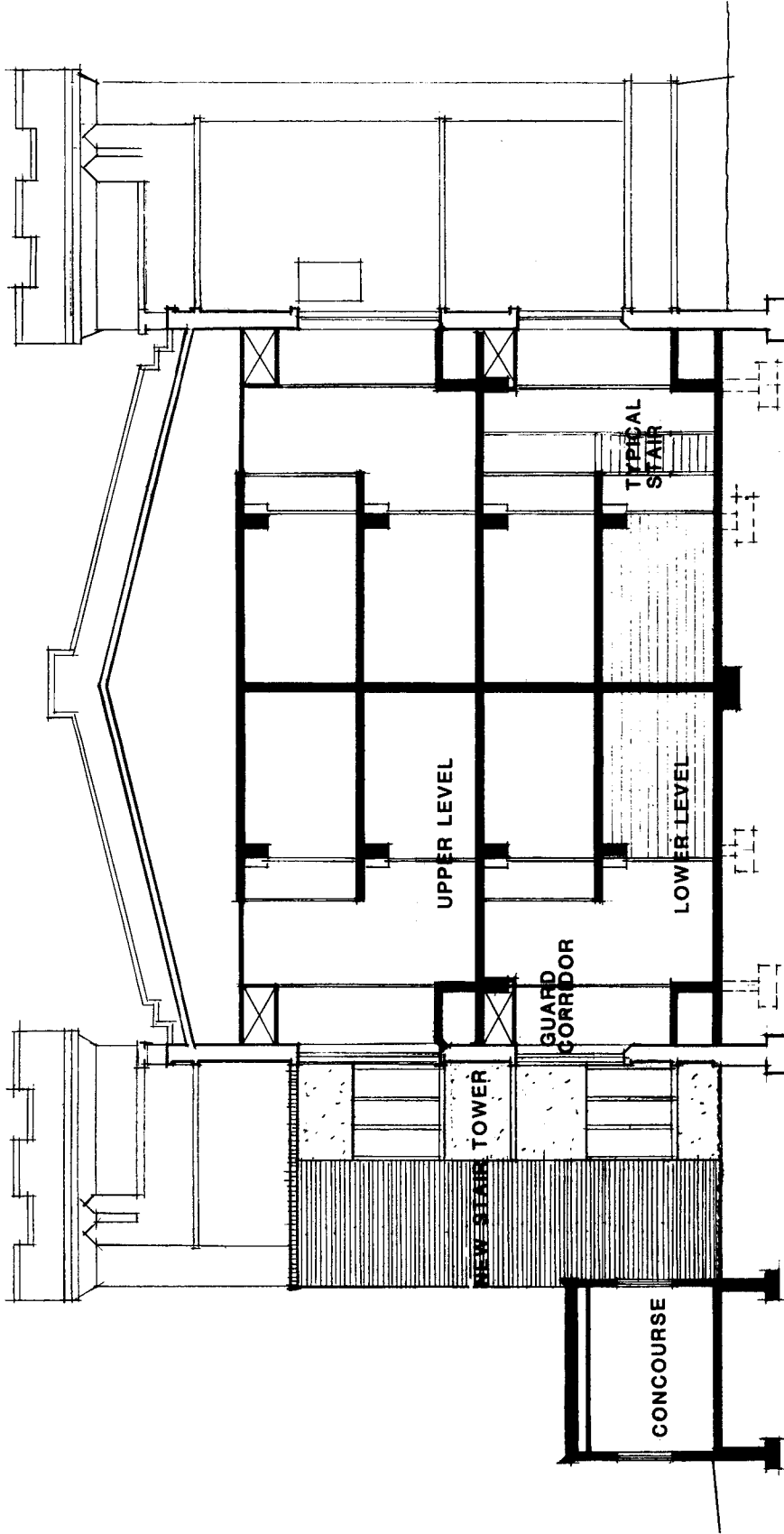


OLD MONTANA STATE PRISON
ADMINISTRATION BUILDING PLAN "C"
UPPER LEVEL

SCALE 1/16" = 1'-0"

NOT TO SCALE

PLATE E



OLD MONTANA STATE PRISON PLAN "C"

CELL HOUSE SECTION

PLATE F

SCALE 1/4" : 1'-0"

NOT TO SCALE

An alternative, at substantial added cost, would be the construction of four floors, providing 16 - 12 man cell blocks.

Administration Building: See Plates D and E.

The interior of this building will be demolished and completely rebuilt, providing the following facilities:

Lower Level

Kitchen
Dining
Recreation
Exercise
Chapel
Library
Crafts
Boiler Plant
Laundry
Storage
Maintenance

Upper Level

Administration
Infirmary (6 beds)
Secure Visiting
Contact Visiting
Social Services
Clinical Services
Counseling
Voc-Ed Classrooms
Security Staff Offices & Services
Main Control

Connecting Concourse: See Plate F.

A new concourse, connecting the Cell House and both levels of the Administration Building would be constructed. This will allow inmates access to all facilities under cover, providing improved security and supervision.

Site Plan: See Plate B.

A new opaque fence would be constructed North of the Theatre and a new vehicle sallyport and Guard Tower would be constructed at the west end of that fence. This would permit the Tower operation to continue as at present and would also allow the future renovation of the Theatre for community use.

Hospital Building:

The West end of the Hospital Building would be used for maintenance and storage purposes. It is intended that the balance of the building be developed in the future as an Industries building, possibly as an inmate project.

COSTS

The costs of Plan C, corrected for bidding in late 1983 are:

Cell House (Remodel & Tower)	\$ 5,193,000	(36,372 S.F.)
Administration (Remodel)	1,453,000	(19,772 S.F.)
Concourse (New)	235,000	(3,028 S.F.)
Physical Plant Equipment	342,000	
Sitework	672,000	
	<u>\$ 7,895,000</u>	<u>(59,172 S.F.)</u>

Cost per bed	=	\$41,100
Cost per square foot	=	\$ 133.40

These figures do not include moveable furnishings.

STAFF PLAN

It is to be expected that smaller detention facilities will be less efficient in terms of staff/inmate ratio than larger facilities when comparable services are provided. The present ratio of 308 staff to approximately 730 inmates at the New Prison equals 1 staff to 2.37 inmates. The anticipated staff plan for the Old Prison has a less efficient ratio (192/93 = 2.06) and would utilize some staff and services at the New Prison. This might be the equivalent of 3 positions, reducing the ratio to 2.0.

The proposed staff plan for Plan C, together with notations of those staff services that would be provided for this facility from the New Prison, is as follows:

ADMINISTRATION		SERVICES BY MSP
Administrator	1	Warden would continue to be
Admin. Ass't. & Planner	1	Chief Administrator.
Secretary	1	Intake processing and
Accounts & Property Clerk	1	quarantine services.
Records & Mail Clerk	1	Accounting, payroll, personnel
Switchboard & Receptionist	<u>1</u>	and staff training.

SUPPORT SERVICES

Ass't. Plant Supt.	1	Special maintenance trades.
Maintenance Worker	1	
Custodial Worker	1	Warehousing and stores.
Groundskeeper	1	
Inmate Crew Supv.	1	
Food Service Manager	1	
Cooks	<u>3</u>	
	9	

TREATMENT SERVICES

Director	1	Psychiatric services, drug
Clinical Services Supr.	1	and alcohol counseling.
Social Worker	1	
Social Services Supr.	1	
Counselors	2	
Education Director	1	
Teachers	1½	
Librarian	½	
Secretarial Pool	2	
Recreation Supr.	1	
Recr. Instructor	1½	
Chaplain	½	
Infirmery Supv.	1	
Nurse	3	
L.P.N.	5	
Clerk	<u>1</u>	
	24	

SECURITY

(5 men per 24 hr. post)	
Captain	1
Shift Supervisor	5
Clerk	1

Corr. Sergeant - Housing	5	
Corr. Officer - Housing	15	4 posts
Corr. Officer - Towers	15	
Corr. Officer - Yard/Gate	5	4 posts
Corr. Officer - Control	5	
Corr. Officer - Visiting	<u>2</u>	
	<u>54</u>	
Total Staff	93	

OPERATING COSTS

Following are the yearly costs of operation that would be expected for 1983, if the facility were in operation:

Bond Retirement

\$7,900,000 @ 9.5% - 20 years = \$ 883,700

Staff

96 personnel = 2,046,900

Fringe benefits - 23.9% 489,200

Food Service

At \$3.00 per day/per bed = 210,200

Utilities, Maintenance & Supplies

62,000 s.f. at \$1.85 = 114,700

Yearly Cost = \$ 3,744,700

Daily Bed Cost = \$ 53.40

Daily Bed Cost, excluding bond retirement \$ 40.80

The cost of Bond Retirement would tend to be a fixed cost, while all other costs would be subject to inflation.

DISCUSSION

This Plan has many advantages over Plan A and B, among which are the following:

Standards

The facility conforms to standards insofar as is reasonably possible. The 24 man Cell Blocks are somewhat larger than desirable but would not constitute a serious problem.

Segregation

Eight separate units provide ample opportunity for separation of inmate classifications.

As a matter of interest, a Task Force function is to "...give primary consideration to providing for the segregation of prisoners"

Handicapped

Handicapped inmates can be accommodated and can have access to all facilities by way of elevator and ramps to various levels.

Cell Blocks

Cells are 80 square feet. The presence of Day Rooms allow a large degree of flexibility in the use of programmatic facilities.

Isolation

The location of the Isolation Cells in the Cell House is staff efficient.

Food Service

Food service can be either in Dining Room or in Cell Blocks.

Inmate Traffic

All inmate movement is within the buildings, improving security and efficiency.

Staff Supervision

Perimeter Guard Corridors and appropriately located Control Centers provide for greatly improved staff supervision. All cells are immediately visible from the corridor.

Future Industries

The present Hospital Building can be developed as an Industries Building as an inmate project.

Towe Collection

The Towe operation could remain as it presently exists.

Programmatic Services

A wide range of programmatic spaces and services are available. The facilities are adequate for a prison of this size.

While there are many obvious advantages to this type of building program, there are inherent disadvantages that would appear in any renovation plan at this location, including:

Based on following premises

Expandability

X For all (practical) purposes, this Facility would not be expandable beyond its initial capacity. The adjunct services would not be capable of providing for increased capacity. The yard area is minimal at present. There is simply no room to expand.

On the other hand, if this were to be regarded, ultimately, as a facility to house Maximum Security inmates, exclusively, for a growing State penal system, it could perform that function for a system of 1100 to 1300 inmates. In this context, its location away from the New Prison could become an asset and its higher cost of operation could be justified.

Self Sufficiency

Because of the relatively small size of the Prison and the proximity of the New Prison, it is most practical to make use of certain specialized staff and services of the New Prison; however, this somewhat reduces the flexibility and accessibility to all services at the Old Prison.

Cost of Operation

Due to the relatively small population of the Prison, staffing is bound to be less efficient than in a larger facility. In this instance, the same requirement for perimeter security exists as for 500 men. The treatment staff ratio is also high due to the need for certain minimal capabilities. With the cost of staff being the highest single cost of operation, it is evident

that the total cost of operation will be higher than a larger facility would experience. In this instance, staff represents about 85% of the cost of operation, excluding bond retirement. On this basis we estimate that operational costs would be 16% higher (\$406,000 in 1983) than if the expansion took place at the New Prison.

ANALYSIS OF PLANS

The preceeding development and discussion of Plan A, B and C leave little doubt as to the most appropriate approach to renovation of the Old Prison, if that is to be undertaken. Plans A and B, while less expensive, are poor investments and would only be a source of future litigation and other problems to the State. Plan C, while it leaves some things to be desired, is, on the whole, an acceptable approach from the point of view of design, programmatic capability and constitutionality.

We feel strongly that Plan C, or a similar type of planning, is the only acceptable approach if the State determines to renovate the Old Prison.

CONSTRUCTION AT NEW PRISON

As previously mentioned, it is not within the scope of this Study to investigate all aspects of possible construction at the New Prison. It is appropriate, however, to mention several aspects of it that appear to bear directly upon a decision as to the advisability of renovating the Old Prison:

1. The abundance of space at the New Prison places virtually no restriction on design, enabling more functional solutions to facility planning.
2. While we cannot foresee precisely how a facility would be staffed, it would tend to be more efficient at the New Prison, resulting in substantial savings over a period of years.

3. Although many authorities tend to discourage prisons with capacities in excess of 500 inmates, we would not regard this as a mandate. We do, however, believe that the State should set a limit somewhere under 1000.
4. In considering the increasing prison population and the current degree of overcrowding at the New Prison, it is almost certain that, at the time of occupancy of the renovated Old Prison, a substantial number of inmates will remain at the New Prison in substandard housing, leaving the State back in the same dilemma.

OTHER ALTERNATIVES

During the course of this Study, the third alternative that often receives discussion and support is the construction of a new prison in the eastern part of Montana. It is evident that this would have certain advantages, particularly due to the large size of Montana and travel times involved in transporting prisoners and the difficulty of access for some visitors.

The additional expense, however, of a new prison, would be considerable and should be carefully considered for cost effectiveness.

An alternative that could be made available after this current expansion, not involving construction, is the provision of more alternatives to incarceration at the State Prison. Several states have, and more are considering, revising statutes to permit sentences of up to two years to be served in County jails. Supervised alternative residences for non-violent offenders might be considered. In either of these cases, the per diem cost to the State would probably not be lowered, but the cost of constantly building new facilities might be saved.

RENOVATION FEASIBILITY

To investigate the feasibility of Plan C, we will consider separate categories, as follows:

Standards Compliance - FEASIBLE

Though not totally compliant with the intent and the letter of the Standards (no gymnasium-cell block capacity) we would regard it as in substantial compliance, certainly to the extent that the State would not be vulnerable to successful court actions.

Construction and Design - FEASIBLE

We believe that the present construction, coupled with extensive renovation and a good maintenance program will provide another 40 to 50 years of useful life for the facility.

The restrictions placed on Cell Block design by the building perimeter leave something to be desired; however, taken as a whole, the design of the facility works well.

Security - FEASIBLE

Security would be excellent. Perimeter security would be substantially as it was previously. Interior security would be improved due to the use of small inmate units, improved guard corridors and electronic assists.

Cost of Construction - FEASIBLE

The cost per bed of \$41,000 is well below the cost of new prison construction and apparently, below the costs of providing new facilities at the New Prison.

Cost of Operation - MARGINALLY FEASIBLE

As previously discussed, the cost of staff due to the limited size of the facility is excessive. Other than staff, operational costs should approximate those of the New Prison.

Taken as a whole, we would regard the project as feasible, but would give it a grade of C minus.

RECOMMENDATIONS

We have presented what we believe to be the most pertinent factors to be considered in reaching a decision as to whether renovation should be undertaken. On the basis of these facts, we have concluded that renovation, if undertaken in an appropriate manner, is feasible within the limitations described. There will be divergent opinions as to the order of priority items in arriving at this decision - design, initial costs, long term operational costs, space limitations, etc. How one ranks these issues, will, to a large degree, determine one's preference between renovation and new construction. In our opinion, whether to renovate the Old Prison or construct additional facilities at the New Prison is a very close judgement call requiring a high degree of impartiality and objectivity. The question seems to be - can we justify the short term savings against long term operational costs and the uncertainty of future inmate population? We are compelled, in view of the history of recent years and strong prevailing opinion in Corrections, to believe that further capacity will be required in addition to the 192 now being considered and that the State's best interest may be served by confining all additions to the New Prison. We, therefore, offer the following recommendations for consideration:

- 1 - THE STATE SHOULD CAREFULLY WEIGH THE PROBABILITY OF FURTHER CAPACITY REQUIREMENTS BEYOND THE CONTEMPLATED EXPANSION AND ESTABLISH CONTINGENCY PLANS THEREFOR.
- 2 - THE STATE SHOULD THOROUGHLY INVESTIGATE ALL POSSIBLE ALTERNATIVES THAT WILL RESULT IN DECREASING SECURE CONFINEMENT IN THE STATE PRISON SYSTEM.
- 3 - IF INITIAL COST OF FACILITIES IS TO BE THE PRINCIPAL FACTOR IN SELECTING THE PRESENT PRISON EXPANSION PLAN, WE RECOMMEND RENOVATION OF THE OLD STATE PRISON.
- 4 - IF THE OLD STATE PRISON IS TO BE RENOVATED, WE STRONGLY RECOMMEND THAT IT BE ACCOMPLISHED IN ACCORDANCE WITH PLAN "C", WITH ALL EFFORTS MADE TO COMPLY WITH RECOGNIZED NATIONAL STANDARDS.

Mr. Gerry Devlin,

Sorry I haven't gotten back to you sooner but my paper is gone with Dr. Schmid and won't be available for about a month. In the meantime I said I would write you a letter and attempt to explain my observations with justification. I will attempt to arrange this in the following order: (1) outside security (perimeter), (2) physical layout of the facility, (3) inmate population, (4) administration, and (5) suggestions for utilization of existing facilities.

1) The outside security of Montana State Prison is not good. Any time you attempt to replace security personnel with electronic surveillance fences, a degree of efficiency is lost in direct proportion to the degree of electronic equipment utilized (note: I am referring to perimeter security only). The wind and snow sets off the fence alarms frequently and there are not security personnel in position to directly view the area in question. To illustrate this, I had an officer climb the fence in several different places. In 5 separate tries only one attempt set off the fence alarm. Afterwards, one of those areas is where 4 inmates escaped over the walkin gate behind the kitchen. Without physical observation posts manned by security personnel, it is next to impossible to maintain the intense security required in a maximum security prison. In my experience, there is no replacement for security personnel physically located on the perimeter. The arrangement utilized now is poor, at best, since a diversion could easily be created leaving huge gaps in the outside security of the institution, especially during the hours of darkness.

Page 12

2) The physical layout of MSP is patterned after the functional unit model

which is supposedly conducive to rehabilitative efforts. This attitude (rehabilitation) was particularly popular in the post WWII years until around the mid 60's. It then became apparent that the rehabilitation model did not function as planned. Not only did prison administrators realize this fact but the inmates themselves became vehemently opposed to the rehab. model. Probably the most articulate and widely read of ex-inmates' views is John Irwin (Prisons in Turmoil and Struggle for Justice). He gets a little carried away with inmate councils and that sort of thing but his depiction of the inmate viewpoint is as good as I've read.

The first thing you must remember about MSP, is that it was originally designed for about 350 inmates. Due to overcrowding, two new cellhouses were constructed to house maximum security inmates which were totally segregated in the old institution. (Note! The only reason minimum security inmates were pulled from the outside ranch areas (Ranch 2, Ranch 7, toyshop, dairy, and cow camp was to serve as a political ploy to insure the construction of the two close units.) I might add, at this point, this was a very efficient arrangement as it gave incentives to both inmates at the New Institution and inmates at the old facility behaviorwise. The more privileges were to be had at the New Institution while the old institution was run in a more disciplined manner emphasizing a strong disciplinary attitude. I credit the lag in time between the move of close and max. sec. inmates to the New Inst. and disturbances, to the adjustment period the moved inmates required to become attuned to the lax discipline at the New Institution.

There are no real barriers available at the New Inst. to limit access of close security inmates to the medium and minimum security inmates.

This is a significant point since the close security inmates can maintain control over these lesser security inmates in form of muscling, homosexual favors, and extortion. This sort of environment makes it impossible to effectively carry out any type of programs which may help these lesser security inmates straighten out. At MSP, this problem is exaggerated through a very weak disciplinary system, specifically, lack of uniformity in sentencing and in the conviction of inmate offenses. Due to the physical layout, the lack of max. sec. space, the inept administration of the disciplinary system, and the administration's unwillingness to let custody personnel do their job, the inmates of MSP are in a position to dictate policy. The administration continues to back down and make concessions to inmate demands thereby reinforcing this inmate attitude of "calling the shots." At the same time, actions of the administration are causing the deterioration of officer morale by constantly undermining their decisions, letting inmates off with suspended sentences for serious offenses, dismissal of disciplinary charges against guilty inmates, and gradually coming to a point where the security officer has no authority. At this low point in morale, the officers put in their 8 hours and do no more; they outwardly criticize the administration and are infuriated by the inmate power. There are increased inmate/officer confrontations and increasing problems with felony crimes in the prison environment. Now the administration is forced to do something to try and regain control. The amount of problems encountered with this transition is a good indicator of the experience and expertise of the warden. These situations must be handled with utmost caution and obviously, someone experienced. It is here, in my opinion, that the theory of relative deprivation takes effect. The inmates do not have to be physically deprived but rather need only perceive that they

are being deprived, usually of the freedom they enjoy. They will not willingly relinquish this and consequently a series of disturbances will usually result, in my opinion, because it was not properly handled at the inception. My paper deals with this concept at some length in relation to disturbances so I will not continue to expound on the point. However, I do believe this is the basic series of events which have lead to the predicament MSP now enjoys. It all boils down to poor administration over the past several years; I would say since Mr. Estelle moved to Texas. No administrators since then have had the vital ingredient of experience in custody matters. I am of the opinion that individuals without first hand custody experience cannot react properly simply because they have never experienced the reality of how custody a prison functions. A lot of trading-off must take place for a prison to run with any degree of efficiency. Every little incident cannot be handled by a disciplinary court and experienced officers as well as inmates are well aware of this fact. Consequently, this trading off is accepted in prison as long as it is perceived by the inmates as being fair.

The kitchen area of MSP is grossly inadequate and is one of the negative physical limitations of the New Institution. It was built and designed for the same 50 inmates the initial prison was designed for, consequently, it is about $\frac{1}{3}$ the size required. The size requires the inmates from all custody classifications to be present under one roof. This enhances the extortion and muscling discussed earlier. In order to be successful, a definite break between close and medium/minimum security inmates must exist. Without it, the design is doomed to failure. Another problem encountered is the feeding of protective custody inmates (PC's). There is virtually no time it can be done without running into other inmates. Note! The number of protective custody inmates increases rapidly and peaks as this

The same situation prevails with the gym. The close security inmates were actually getting more recreation and visiting time than the medium/minimum security inmates. There just hasn't been any payoffs for good behavior. Add the lack of discipline and the result is an unduly high degree of unrest within the inmate population. The inmate society then becomes reduced to an individual basis struggling for survival.

After the recent unrest at MSP, several inmates were transferred to other institutions. That will not solve the administrative and physical layout problems of the institution. Fred Perry was not a dangerous, calculated individual until he was transferred back in 1974 or 1975. MSP made Fred Perry what he is by giving him status through that original transfer. He was neither smart enough, calculating enough or physically tough enough to be a leader and he displayed that by getting out and being locked up after he realized he had no control. Fred ruled by fear and brawn, not with brains. Consequently, his lieutenants, Harker and Burke, were not intelligent, relatively tough, blindly obedient with absolutely no leadership qualities. The whole system has been intimidation since Fred Perry returned in 1978(?).

Stanley Dean Baker has been the brains behind Fred since the close units opened and Baker was returned to MSP. He is very calculating, very intelligent (genius IQ if I remember correctly) and physically able. His cold and calculating attributes need not be questioned. Baker is the impetus of the inmate population at this time. However, because of his intelligence, he could be utilized as a calming factor in the inmate population. I doubt if he would respond well to anyone whom he didn't trust and know.

The trick would be to make him feel responsible for his charges behavior.

The classification committee has made what I consider to be excessive blunders in the past in assigning inmates custody classifications. In my opinion, this stems from a weak, uninformed administration who lack the experience and intestinal fortitude to stick to the rules they have established. They've been all too willing in the past to play favorites or make exceptions. The result, as can be seen, is low officer morale, increases in officer/inmate confrontations, and increased felonies within the prison confines. In an efficient prison organization, many of these situations should be headed off and isolated before they reach major proportions. As I see it, these are administrative problems.

In summation, I would suggest the following:

- 1.) Pick the warden very carefully with his expertise and experience as the main criterion. Degrees are important but you can't get correctional experience in a university.
- 2.) Eliminate the influence of the middle management clique. You may even have to go outside to promote but get people who know what they are doing and have a good track record, particularly in the areas you perceive as being important. These actions will take care of the morale problem since individuals who have been in the actual situation can relate much better to those in similar situations. Consequently, the emphasis will be put where it belongs, on custody, not the inmates wishes.

The physical layout of MSP is not good, but I believe some changes could

be made which would increase security, lend itself to better control, and serve to segregate the inmates themselves to insure a much smoother operation. The facility could lend itself well to an "earned custody classification" based upon behavior. Use the two Close units to house max. sec. and close security inmates. If they get into trouble, put them in Maximum Security and run it tough; make it an undesirable place to be. The max. sec. would probably have to be expanded since its size is approximately $\frac{1}{3}$ of what it should be (it was designed with total population of 350 in mind). If an inmate behaves himself in Close II status, then after a minimum period of time ($\frac{1}{2}$ of his sentence) move him to close I status. Using the same procedure, he could get himself all the way to, say, B-unit. Now he suddenly becomes a problem, is written up and found guilty of a serious offense such as assault where he perpetrated the behavior. Put him in max. sec. and do not let him out for a minimum period of say 3 months. When he comes out of max., he goes back to Close II, not B-unit. Under the present system, he may not even go to max, it is strictly at the discretion of the disciplinary committee. There are no guidelines that are followed, hence the favoritism and exceptions. In my opinion, this equates into a poor method of control. In summation, I would stress two primary points:

- 1.) Take the pay off out of undesirable behavior through swiftness and certainty of punishment.
- 2.) Remove the discretion from disciplinary procedures so inmates are treated equitably in their punishment for offenses.

The inmates should receive varying degrees of privileges dependent upon their classification, hence their behavior. You'd be surprised at the value placed upon recreation, visiting, and special events. Little things become big

things in prison and should be utilized to their utmost in extracting desirable behavior.

Physically, I would completely isolate Close I and Close II units from the rest of the inmate population. Plywood attached to the fence would make it very difficult to climb plus the inmates inside could not communicate with other inmates in lower custody classifications. A combination kitchen/visiting area could be constructed which would only use the area for seating (during meals). The food could be prepared in the existing kitchen and transported to the close dining room in the same manner that Maximum Security receives their food now. This would increase the visiting space available and make the institution much more controllable. I would also recommend construction of a tower which could view the walk-in gate by the kitchen now and also a tower which could be utilized in both the kitchen (close) during meals and as a perimeter watch. The majority of escapes have emanated from this area. Now the facility is shaping up into a prison that can function with maximum security inmates. The key is to maintain a strong disciplinary committee and procedure due to the weak physical construction and layout. The most desirable alternative would be the construction of a max. sec. unit away from the present prison site—at least physically removed.

Another area which has suffered tremendously is that of training. The individual who was recently appointed to the position has failed at everything he has attempted. Ken Gerke was a poor Sgt. and a worse Lt. so he was promoted to get him out of custody. It was also removed his performance in the National Guard was less than adequate. It is imperative that a good training program be instituted so the security personnel know what their limitations are and can utilize successful concepts of control. The

training program should emphasize hands on practical experience which would cost less than having UofM professors come down and talk about the psychology of rehabilitation when the officer's job is concerned with security.

I hope this material is useful for your purposes and understanding of MSP. I do believe the existing facility could be utilized but some changes in policy are going to have to occur. Don't let them tell you it can't be done, I know better.

I've also included a resume so you can inspect my qualifications to speak upon this subject. I'm also presently pursuing a M.S. degree in Corrections with emphasis in administration and research. I have a B.S. in Sociology with emphasis in Corrections and am presently the director of Security Services, Centrex (communications), and the post office for Mankato State University (enrollment = 15,000).

If you would care for elaboration on any point, or would like specific information, feel free to contact me at:

David J. Schwarz

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Home Phone: 507-931-6027

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David Schwarz

DECEMBER 13, 1982

REPRESENTATIVE ROBERT A. ELLERD
% LEGISLATIVE COUNCIL
ROOM 138
STATE CAPITOL
HELENA, MT 59620

RE: OLD MONTANA STATE PRISON
RENOVATION FEASIBILITY STUDY

DEAR REPRESENTATIVE ELLERD:

I ENJOYED RECEIVING YOUR TELEPHONE CALL THIS MORNING AND DISCUSSING THE CONTINUED INTEREST OF YOURSELF AND OTHERS IN THE RENOVATION OF THE OLD PRISON. I WOULD LIKE TO SUMMARIZE MY COMMENTS OF THIS MORNING SO THAT THE COMMITTEE CAN MAKE APPROPRIATE USE THEREOF.

ON PAGE 26 OF THE STUDY, THE QUESTION OF EXPANDABILITY IS DEALT WITH RATHER TERSELY - '' FOR ALL PRACTICAL PURPOSES, THIS FACILITY WOULD NOT BE EXPANDABLE BEYOND ITS INITIAL CAPACITY.'' THIS INITIAL CAPACITY WAS ASSUMED TO BE NO MORE THAN 200. THAT STATEMENT WAS BASED ON THE FOLLOWING PREMISES:

- 1 - LACK OF ADEQUATE EXTERIOR SPACE (YARD AREA) WITHIN THE PERIMETER WALLS WHEN COMPARED TO CURRENT RECOGNIZED PRACTICES OF PENAL DESIGN.
- 2 - INABILITY OF THE ADMINISTRATION BUILDING TO ADEQUATELY SUPPORT THE PROGRAMMATIC, ADMINISTRATIVE AND SERVICE FUNCTIONS REQUIRED BY EXPANSION.
- 3 - PROBABLE INTERFERENCE WITH THE TOWE OPERATION WHICH, DUE TO LEGAL PROBLEMS, COULD PROHIBIT ANY PROJECT FROM PROCEEDING.

THESE OBJECTIONS TO EXPANSION ARE PRIMARILY LEGAL AND PROGRAMMATIC. ON THE OTHER HAND, WE WOULD AGREE THAT FROM A PHYSICAL, TECHNICAL AND ENGINEERING POINT OF VIEW, THE FACILITY COULD BE EXPANDABLE. IN ORDER TO PROVIDE FOR THIS, THE FOLLOWING CONDITIONS WOULD HAVE TO BE MET:

- 1 - THE EXPANSION WOULD MOST LIKELY TAKE PLACE TO THE SOUTH OF THE ADMINISTRATION BUILDING REQUIRING ALL OF THE ENCLOSED COMPOUND AREA TO THE SOUTH WALL. THIS BRINGS THE QUESTION OF THE TOWE OPERATION INTO SHARPER FOCUS AND, AS A PRACTICAL MATTER, WOULD ALSO REQUIRE REMOVAL OF THE THEATRE.

- 2 - DOUBLING THE NUMBER OF INMATES WOULD BE EXPECTED TO RESULT IN AN INCREASE OF ADMINISTRATIVE, PROGRAM AND SERVICE FACILITIES BY AT LEAST 70%, PARTICULARLY CONSIDERING THAT THE ADDED INMATES WOULD TEND TO BE OF LESS SECURE CLASSIFICATION.
- 3 - A SOMEWHAT LARGER INITIAL INVESTMENT WOULD HAVE TO BE MADE (\$1,000,000 PLUS) IN ORDER TO PROVIDE THE POTENTIAL FOR PRACTICAL FUTURE EXPANSION.
- 4 - INITIAL PLANNING WOULD HAVE TO INCLUDE THE TOTAL FUTURE DEVELOPMENT IN ORDER TO ALLOW THE PRACTICAL MODIFICATIONS IN FACILITIES AND SYSTEMS (FROM PLAN C) THAT WOULD BE REQUIRED. THE POSSIBLE EXTENSION OF THE YARD AREA TO THE WEST SHOULD BE EXPLORED.

FOR SOME YEARS THE PRISON HELD OVER 800 INMATES. THIS WAS ACCOMPLISHED WITH TWO MAIN CELLHOUSES, DOUBLE BUNKING, FEW PROGRAMMATIC SPACES AND NO STANDARDS. FROM A PHYSICAL POINT OF VIEW THE EXISTING PERIMETER COULD AGAIN ACCOMMODATE TWO CELLHOUSES BUT WITH 380 TO 400 INMATES, SINGLE BUNKED. WE WOULD ALSO HAVE TO PROVIDE VASTLY IMPROVED ADJUNCT FACILITIES AND CAPABILITIES OVER AND ABOVE THE SITUATION OF PRIOR YEARS. WITH THIS INCREASED NUMBER OF INMATES, STAFFING WOULD UNDOUBTEDLY BECOME MORE EFFICIENT.

I HOPE THE FOREGOING PROVIDES MORE INFORMATION PERTAINING TO THE POSSIBILITIES OF FUTURE EXPANSION. IT CAN BE DONE, BUT WHETHER THE STATE PENAL SYSTEM WOULD BE ENHANCED THEREBY WILL BE OPEN TO DEBATE.

WITH THE RECENT ADVANCEMENT OF THE STONE PROPOSAL WHICH, IT APPEARS, WOULD RESULT IN GREAT FINANCIAL ADVANTAGE TO THE STATE, I WOULD REFER YOU TO RECOMMENDATION #3 ON PAGE 30. THE PHRASE, "INITIAL COST OF FACILITIES" WAS USED; HOWEVER, I BELIEVE IT WOULD BE QUITE REASONABLE TO EXPAND IT TO INCLUDE, "OR THE SIGNIFICANT TOTAL OVERALL COST OF CONSTRUCTION AND OPERATION."

IF I CAN BE OF ANY FURTHER ASSISTANCE PENDING MY NEXT TRIP TO MONTANA, PLEASE DO NOT HESITATE TO CALL ME.

SINCERELY,



WILLARD C. PARRISH, JR. AIA
PRESIDENT
THE PARRISH ARCHITECTS

WCP/vb



Powell County Museum and Arts Foundation
P.O. Box 748 DEER LODGE, MONTANA
59722

EXHIBIT 5a
State Administration
Sponsors of Feb 2, 1983
• Powell County Museum
• The Antique Ford Collection
• Old Montana Territorial Prison

February 2, 1983

THE PRISON ISSUE AS WE SEE IT

Is the Old Prison Secure?

1. From 1971-1979 there were 99 escapes from the prison.
2. Seventeen of these escaped from the grounds and from inside the walls of the Old Prison. Twelve inmates escaped during the last two years of the Old Prison operation as a penal institution.
3. The stone wall perimeter was built in 1893 and expanded in 1912. The walls are cracking in several places. There are no funds in the renovation bill to stabilize and restore the erosion and deterioration of this 90 year old sandstone structure.

Is Renovation of the Old Prison Practical?

1. The Parrish Report (Nov. 1982) does not favor renovation:
"1. We are dealing with extensive renovation of buildings that are from 45 to 70 years of age. As any architect or contractor knows, such projects are fraught with problems that cannot possibly be anticipated at the outset. Typically, such projects exceed budgets by substantial amounts regardless of the care with which the budgets are prepared.
2. We are working with buildings with established perimeters and forms. We must shape the design of spaces to fit these limitations, both vertical and horizontal. We do not have the freedom that would be present in the design of a new facility with adequate space. This inevitably results in compromise and, in many cases, a design inferior to that obtainable in new construction." (ppl5-16)
2. The Department of Institutions estimates that operating costs at the Old Prison will be \$676,616 more per year than new facilities at the new prison.

Why was the Old Prison Abandoned?

1. A decade ago, the Montana Legislature voted to replace it. At that time, many experts testified that it was not feasible or economical to renovate the Old Prison. We ask, "what has changed to cause a reversal of that decision?"
2. It was abandoned because the physical plant was archaic, because there was no room for expansion, and because it was outdated and too old to repair.
3. There has been considerably more deterioration in recent years, and it is considerably less serviceable today than it was 20 years ago when Warden Powell tried to get a referendum passed to replace the old institution in the early 1960's.



EXHIBIT 5b
Sponsors of State Administration
• Powell County Museum
• The Antique Ford Collection 2/3/83
• Old Montana Territorial Prison

Powell County Museum and Arts Foundation

DEER LODGE, MONTANA
59722

What Problems are Created by Renovation of the Old Prison?

1. The security provided by the high stone wall is seriously jeopardized by the proposed fence between the Recreation Yard and the Prison Theater. Under the Parrish plan, the south end of the prison area inside the wall will be accessible to the town's people.
2. Senator Boylan's bill does nothing to strengthen security at the new prison.
3. There will be very little parking space for 100 new employees.
4. Deer Lodge loses its tourism industry.
5. The Old Prison makes an excellent museum, and in our opinion, a very poor prison.

What Benefits are Gained by Expanding the Existing Prison?

1. All prison facilities will be centralized in one place thus reducing operating costs, and the duplication of facilities and personnel.
2. Expansion of the new prison includes all major support facilities (food service, programs, recreation, medical services) needed for present expansion and for that in the near future.
3. There is plenty of room for future expansion.
4. Modern facilities can and should be built that meet existing codes, that are far more energy efficient, that better meet the needs of a modern prison, and most importantly, are more secure than the 90 year old wall and the 70 year old cell house.
5. This choice requires fewer employees.
6. The mistakes made in design and construction of the new prison should provide valuable lessons and the foundation for improved design and construction of the new expansion. The Legislature must allocate sufficient funds to make the new maximum security facilities very secure and much safer for the employees.
7. Overall building and operating costs will be less at the new prison, and therefore a better buy for the taxpayer.

Testimony by the Department of Institutions
Before the House State Administration Committee

The administration is opposed to the renovation of the territorial prison for the purpose of housing maximum security inmates.

At the request of the administration, a National Institute on Corrections consultant, Don Hutto, reviewed the options available to alleviate the current overcrowding of the prison system and recommended the expansion of the present prison. At the request of the legislature, William Parrish, an architect specializing in prison construction, prepared a cost estimate for the renovation of the territorial prison. Mr. Parrish, during committee testimony, indicated that expanding the existing prison may be preferable to renovating the old territorial prison.

Mr. Parrish states in his report to the Legislative Council that, "we are compelled, in view of the history of recent years and strong prevailing opinion in corrections, to believe that further capacity will be required in addition to the 192 now being considered and that the state's best interest may be served by confining all additions to the New Prison." The potential for future expansion should be considered before any decision is made to spend several million dollars to accommodate 192 additional inmates.

Before a decision is made we also need to look beyond the initial construction costs and consider the long term operational cost to the State general fund. Our analysis shows that over the next 40 years it would cost \$59.6 million more to house 725 inmates in the territorial prison

and the existing prison than it would to house the same number of inmates in the existing prison after expansion.

Programming for two distinct groups of inmates would be enhanced if both groups were housed adjacent to each other where more staff functions could be shared. New construction would allow the designing of buildings to meet security and program needs rather than designing program and security to fit an existing facility. The configuration of a renovated facility is predetermined by the size and shape of the original design. Mr. Parrish states in his report that, "The abundance of space at the New Prison places virtually no restriction on design, enabling more functional solutions to facility planning."

The Parrish design of the upper and lower levels of the administration building would require staff escort of all inmates involved in institutional movement or programming. The proposed expansion at the new prison utilizes the towers to observe movement and communications systems to track inmates moving through an open yard from housing units to program buildings. The Parrish Plan also lacks a gymnasium for use during winter months.

Comparisons have been made between the security of the old prison and the security of the new. Comparisons have been made between the number of escapes from the old prison and the new prison. Such comparisons are distorted by the fact that the old prison was designed originally as a highly secure facility with appropriate guard tower observation. The new prison was not designed as a highly secure facility and guard towers were not a part of the original design.

However, much has been done to enhance security at the

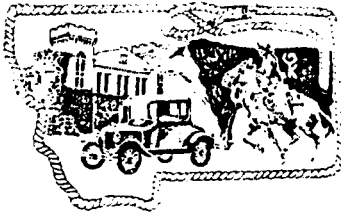
EXHIBIT 4c

existing prison and, it is our belief that these improvements provide the basis upon which a secure prison can be built. Construction as per our recommendation at the existing prison will not only provide a secure environment for the 192 inmates housed in the addition but will increase security levels for the entire prison. Expansion at the existing prison will provide the most economical way to accomplish additional security improvements throughout the entire prison compound.

We believe the Legislature made the right choice when they decided to vacate the antiquated territorial prison and construct a new one. They undoubtedly believed then, as we believe now, that any improvements made to that facility will not change the fact that the basic structure was built in the early 1900's and that the expenditure of several million dollars will not alter the size or the shape of the facility to meet present needs.

The appearance of the old prison and the words used to describe it by its proponents have resulted in unrealistic expectations for its use as a prison in the 1980's, a time when prisons must, by law, operate differently than they did when the facility was designed.

UNBURIED TREASURE



DEER LODGE, MONTANA

DEER LODGE

Chamber of Commerce

EXHIBIT 6b

State Administration

Feb. 2,
1983

CITY HALL

DEER LODGE, MONTANA

59722

January 7, 1983

Dear Legislators:

As you tour the Old Prison today, please consider the following arguments on why you should vote against renovation of the Old Prison, and in favor of expansion of the present prison site.

1. In 1979 the State of Montana turned the old prison over to the people of Deer Lodge. A group of Deer Lodge citizens signed loan guarantees which provided initial financing to make the prison and the Towe Ford Collection a viable business in this community.
2. Since 1980 there have been more than 42,000 visitors through the Old Prison: 1980-4,800; 1981-15,500; 1982-22,000. Tours are given by more than 80 volunteers from the community.
3. In 1980 gate receipts totaled approximately \$10,000, in 1981 more than \$41,000 and in 1982, \$56,000.
4. A movie company made a film in the prison which brought substantial funds to the Powell County Museum and Arts Foundation which was used to repair many of the deteriorating buildings and roofs at the facility. Capital improvements to the Old Territorial Prison have now totaled more than \$118,500. All of this is from private enterprise--not State or Federal Funding.
5. The Old Prison is on the National Register of Historic Places and is hereby recognized as a significant historic structure worthy of preservation as it now stands. Remodeling will destroy that aspect of its value.
6. The Deer Lodge Chamber of Commerce and Powell County Museum and Arts Foundation have in the last 5 years, spent over \$112,000 in promoting Deer Lodge as a tourist destination. This investment is beginning to pay off as we attract a growing national and international clientele.
7. To a community that has been severely affected by the depression of the lumber industry, the abandonment of the Milwaukee Railroad, and the closure of the Anaconda Company, this prison museum is developing into an important part of the Deer Lodge economy.
8. With the increasing number of unemployed and the loss of dollars to the State of Montana, we need diversified local economies. **DEER LODGE NEEDS BOTH A PRISON ECONOMY AND A TOURIST ECONOMY!**

A recent poll of members of the Deer Lodge Chamber of Commerce showed that 68 were in favor of expansion at the new prison site, 7 members had no preference, and 2 members were in favor of renovation of the Old Territorial Prison.

DEER LODGE CHAMBER OF COMMERCE

January 24, 1983

EXHIBIT 6a
State Administration
Feb. 2, 1983

1. The Old Prison offers no room for expansion and operating expenses for the 70 year old cell house will always be higher than for modern facilities at the present prison site. Therefore, we feel that renovation of the Old Prison is a poor expenditure of taxpayer dollars.
2. We also feel that it is a poor policy to destroy one type of economy for the sake of another; we are concerned about losing our tourism industry. The Old Prison has generated nearly \$100,000 in gate receipts in the last two years. In the same period, the Towe Museum earned \$163,000. The experience of the historical society operating the Towe Museum over the last four years reveals that the car collection would be hard pressed to maintain economic stability as a single attraction. Therefore, we believe that the two attractions are inter-dependent, and the loss of the Old Prison would greatly jeopardize the feasibility of maintaining the Towe Ford Collection in Deer Lodge.
3. The Montana Travel Promotion Bureau estimates that the average tourist family unit (of 2.1 people) spends \$77 per day while vacationing in Montana, and that every tourist dollar spent turns over in the community three times. In the past two years, the Powell County Museum has received approximately 75,000 visitors, and because Deer Lodge now has four historical museums, a high percentage of these visitors stayed in the area for most of a day. Therefore, we estimate that \$2,750,000 tourist dollars were spent in Deer Lodge during 1981 and 1982. Using the multiplier of 3, we can say that the economic benefit of tourism to this community was in excess of \$8,250,000.
4. It is our firm belief that Deer Lodge and Montana can enjoy the benefits of this important tourist industry as well as provide for a secure, modern, and economically viable prison facility.

In conclusion, our message to the people of the Deer Lodge Valley and to the citizens of Montana is that the best program for solving the prison housing problem and maintaining the economic benefits of tourism, is the construction of additional, SECURE facilities in the proximity of the existing prison.

ESCAPES FROM THE OLD INSTITUTION
MONTANA STATE PRISON

EXHIBIT 7
State Administration
Feb. 2, 1983

YEAR - 1971

Walgraves - Ran from the Powerhouse in town on June 12

Pribble - Climbed over the fence in old compound by Tower #1 on September 21

YEAR - 1975

Butler, J. - Left work area from compound on September 7

Montero - Escaped from inside Detention area, then over the wall between Towers #5 and 6, on November 24

Eyrich - Escaped from inside Detention area, then over the wall between Towers #5 and 6, on November 24

YEAR - 1977

Seadin - Escaped through the wall in laundry building on April 15

Hubbard - Escaped through the wall in laundry building on April 15

Boston - Escaped over the wall between Towers #5 and 6 on April 23. Held hostages after escaped.

Todd - Escaped over the wall between Towers #5 and 6 on April 23. Held hostages after escaped.

Williams - Escaped over the wall between Towers #5 and 6 on April 23. Held hostages after escaped.

YEAR - 1978

Shurtliff - Escaped through the wall in laundry building on July 6

Guadalupe - Escaped through the wall in laundry building on July 6

Depue - Escaped through the wall in laundry building on July 6

Halverson - Escaped over the wall by laundry building on September 11

Marlow - Escaped over the wall by laundry building on September 11

YEAR - 1979

Mahseelah - Walked away from the Powerhouse in town on September 16

Gonzales - Walked away from the clean-up crew inside old Prison on October 5

NAME: Roberta L. Chandler, Ex-Dkv. DATE: 2-2-83

ADDRESS: 505 W. Park Butte, MT 59701

PHONE: 782-6498

REPRESENTING WHOM? Montana's Gold West Territory SB 171

APPEARING ON WHICH PROPOSAL: Renovation of the Old Prison

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ✓

COMMENTS: Our Organization represents 10 Counties -
all of Southwestern Montana - we are the only
organized Tourism group promoting a specific
area of the State -

The Towe Antique Ford Collection and The
Old Mont-Territorial Prison have become a viable
attraction for our area, both in numbers of
visitors and income. All of the promotion and
improvements have been accomplished with private
funds - Tourism is the States 3rd largest industry
& has the potential of continued growth - It is a
very important industry for the Butte - Anaconda -
Deer Lodge area in light of the Anaconda Co. smelter
closure and the announced Butte ~~shutdown~~ in July
suspension of operation

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

We urge that a solution for the security problem be found that does not sacrifice what has become a viable part of the Deer Lodge economy and an important tourist attraction for southwestern Montana.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Melvin R. Beck DATE: 4 Feb, 83

ADDRESS: 500 Greenhouse Road, Deer Lodge, MT 59722

PHONE: 846-2734

REPRESENTING WHOM? My Self

APPEARING ON WHICH PROPOSAL: Senate Bill #171

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Two pages of my comments accompany

this sheet. I favor SB171 because of its possibility

of being a real Maximum Security Prison and that it

will be complete and ready to be occupied long before

a new prison facility could be built. We need ~~2~~ changes

in the prison now not several years from now!

Melvin R. Beck

Statement of SD 111

My name is Melvin Beck, 500 Greenhouse Road, Deer Lodge, Montana. I have been a resident of the rural Deer Lodge Valley all my life and have been a neighbor to Montana State Prison at the same time. I have seen some terrible episodes of riot and violence throughout the years and it is obvious the prison operation is not getting better, even though there is a new modern prison and ~~z~~ professional criminal specialists on the prison staff.

Whatever is done to correct the known short comings of the prison, it should be understood that, of all things, the security to the Deer Lodge community is the primary consideration. Without any research of records whatsoever, I can recall at least 5 kidnappings and hostage incidents of our area residents. No one needs to be reminded that kidnapping is "one" serious crime. Everyone knows about the numerous vehicle thefts, stolen property, frightening experiences of people who have come face to face with convicts on a prison escape.

Our local residents do not deserve such treatment just because the remainder of the state has found it convenient to establish a new home for their unwanted citizens at Deer Lodge without even providing a proper facility and adequate personnel to keep them where they sent them. I know there are people of our Deer Lodge area whose employment depends on the prison and a business community whose economic well-being is also dependent upon the prison who will give testimony at your hearings, and elsewhere, just the opposite from what I say, but their views should be disregarded if the safety of any person is threatened by the presence of the prison and the happenings of violence which come with it.

I am in favor of the Task Force Plan to renovate the Old Prison in downtown Deer Lodge because it has the makings of a Maximum Security Prison and for a second reason it looks as if the time involved in establishing this maximum security facility will be ever so much shorter than beginning a completely new complex west of town. Also, it seems logical to have a Maximum Security Prison removed and separate from any other lock-up facility where security does not have so high a priority. It is obvious that this decision to use the old prison will have an impact on the economy

of our town, but again the physical security of our citizens comes before their economic security.

I have no quarrel with the plans for prison industries and ranch operations if these operations are supervised and well guarded by prison staff. Prisoners on a trustee status have created ~~as~~ much trouble during escapes and their escapes are far more frequent than from inside the prison compound proper. It was a trustee who kidnapped a Mrs. Shafford in Deer Lodge Valley and took her all the way to Idaho before his capture. It was trustees who held the Gustafson's at knife point in Deer Lodge for many hours in their attempt at escape. If these people are no risk to society and are assigned work where escape is a possibility, why aren't they assigned work in their own home community rather than at Deer Lodge? They could be "bunk housed" there as well as at the prison dairy, and without much effort their own county could provide something as prison-looking as the prison dairy.

Again, it is my preference to have the old Deer Lodge prison renovated and remodeled for a Maximum Security Prison and wish to remind the state government that the people of Deer Lodge have demonstrated great patience with the prison's presence in their lives and the absence of real positive corrective measures. Yet it is encouraging to see that ~~the~~ administration of the state and the Prison Task force is much aware of the need to put this prison operation in good order.

Thank you.

NAME: Barbara J Campbell DATE: Feb 2, 1983

ADDRESS: 471 Lake Hill Road

PHONE: 846-3633

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: SB 171

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: Remodeling the old prison
is more expensive in the long term.
Also, the money could
be better spent at the new
facility. If the legislature
votes for SB 171 our problems at
the new prison will continue -
the legislature will be faced
with the problems of large
expenditures at the new site.
Please do the job the right
way instead of patchwork
solutions.